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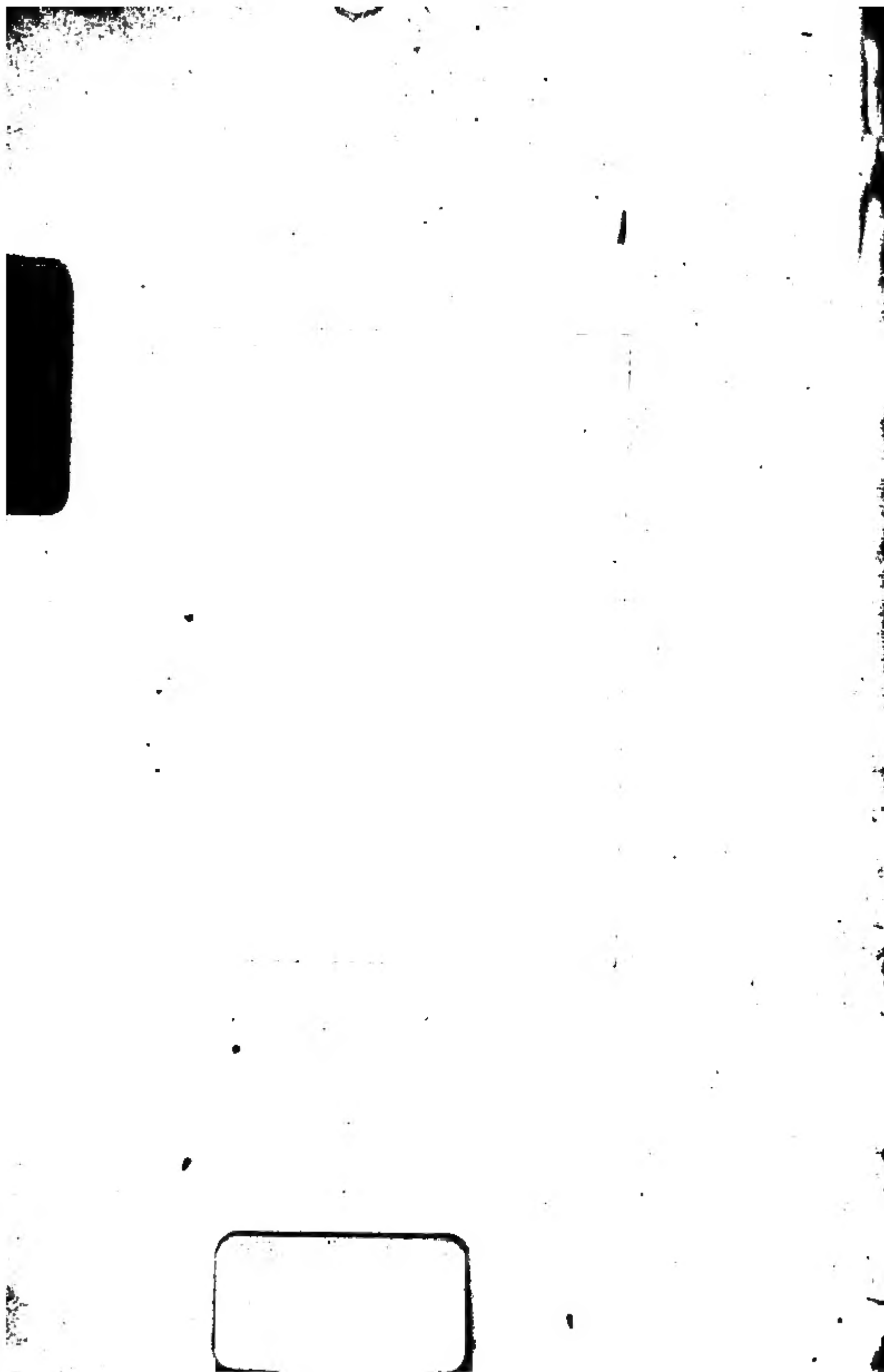
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IN SENATE.

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JOURNAL OF PROCEEDINGS

OF THE

THIRTY-THIRD ANNUAL SESSION

OF THE

WISCONSIN LEGISLATURE.

1880.

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MADISON, WIS.:

DAVID ATWOOD, STATE PRINTER.

1880.



STATE OF WISCONSIN.

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Senate Journal.

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THIRTY-THIRD ANNUAL SESSION.

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WEDNESDAY, JANUARY 14, 1880.

The thirty-third annual session of the legislature of the state of Wisconsin, began at Madison, the capital of said state, the second Wednesday, being the 14th day, of January, 1880.

Pursuant to law, at 12 o'clock M. of said day the senate was called to order by Hon. James M. Bingham, the lieutenant-governor.

The roll of senators holding over from 1879, and of the senators elect as transmitted to the senate by Hon. Hans B. Warner, secretary of state, was read by the clerk, as follows:

LIST OF SENATORS HOLDING OVER FROM 1879.

1st <i>District</i>	—	George Grimmer.
3d	"	William E. Chipman.
5th	"	Isaac W. Van Schaick.
7th	"	Edwin Hyde.
9th	"	Hobart S. Sacket.
11th	"	Thomas B. Scott.
13th	"	E. C. McFetridge.
15th	"	Joseph Rankin.
17th	"	Hamilton Richardson.
19th	"	Andrew Haben.
21st	"	John A. Kellogg.
23d	"	Joseph B. Bennett.
25th	"	George B. Burrows.
27th	"	Charles L. Dering.
29th	"	Horace E. Houghton.
31st	"	G. Van Steenwyk.
33d	"	Lyman Morgan.

LIST OF SENATORS ELECTED AT THE GENERAL ELECTION HELD IN  
THE STATE OF WISCONSIN, ON THE FOURTH DAY OF NOVEMBER,  
A. D. 1879:

2d District	—	D. M. Kelly.
4th	"	O. B. Thomas.
6th	"	George H. Paul.
8th	"	Joseph V. Quarles.
10th	"	Richard Weaver.
12th	"	John W. Blackstone.
14th	"	E. E. Woodman.
16th	"	George W. Ryland.
18th	"	George E. Sutherland.
20th	"	P. H. Smith.
22d	"	B. F. Carter.
24th	"	S. S. Fifield.
26th	"	Matthew Anderson.
28th	"	J. B. McGrew.
30th	"	Michael Griffin.
32d	"	W. T. Price.

STATE DEPARTMENT — ss.

I, Hans B. Warner, secretary of state of the state of Wisconsin, do hereby certify that the foregoing is a correct list of the members of the senate of the state of Wisconsin, elected at the general election held on the fourth day of November, 1879, as appears from the certificates of the several county clerks of the several counties comprising the senatorial districts named in the foregoing list; which certificates are now on file in this office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, at the capitol, in the city of Madison, this 6th day of January, A. D. 1880.

[SEAL.]

HANS B. WARNER,  
*Secretary of State.*

The roll of senators elect being called, the following senators, appeared at the clerk's desk, and subscribed to the oath of office, which was administered by the president of the senate, viz.:

Senators O. B. Thomas, Geo. H. Paul, Joseph V. Quarles, Richard Weaver, John W. Blackstone, E. E. Woodman, Geo. W. Ryland, Geo. E. Sutherland, P. H. Smith, B. F. Carter, S. S. Fifield, Matthew Anderson, J. B. McGrew, Michael Griffin, W. T. Price.

The roll of senators being then called, the following responded to their names, viz.:

Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Fifield, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, McFetridge, McGrew, Morgan, Paul, Price, Quarles, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Sutherland, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman.

*Absent.* — Senators Dering and Kelly.

The president, Lt. Gov. J. M. Bingham, declared the senate open and ready for business, and addressed it as follows:

SENATORS — The returning year has brought us together again in this chamber in the service of the state, and I congratulate you upon the prosperous circumstances under which you meet. The returning tide of prosperity, the revival of business, and the successful experiment of resumption, have started our people upon a career of progress which, by the practice of a wise economy and a conservative and patriotic adherence to the elementary principles of our government, may be indefinitely prolonged.

The severe experience of the past few years has taught the people the virtue of economy, and they have a right to expect that this virtue will be practiced by their representatives, in affairs of state, and from the well known ability and large experience of the members of this body, I have no doubt their expectations will be fully realized, and that your action will be determined by your knowledge of the public needs.

There are no subjects of overshadowing importance, or vexatious questions to occupy your time, and it is to be sincerely hoped that our session will be a brief one. Our organization is the expression of the people's will and not the result of a political larceny—a practice which, I trust, will never be inaugurated in our conservative state, where both political parties are accustomed to bow to the ascertained will of the majority.

These products, so fatal to republican government, can never become indigenous on Wisconsin soil. I rely upon the well known courtesy of the senators, to aid me in the dispatch of business, and trust that all your legislation will be wise and well considered.

On motion of Senator Price, the senate proceeded to the election of chief clerk.

Senator Burrows placed in nomination Charles E. Bross.

The roll being called, the following senators voted for Charles E. Bross.

Senators Anderson, Bennett, Blackstone, Burrows, Chipman, Fifield, Griffin, Grimmer, Houghton, Hyde, Kellogg, McFetridge, McGrew, Price, Quarles, Richardson, Ryland, Sacket, Scott, Sutherland, Thomas, Van Schaick, Van Steenwyk and Woodman — 24.

The following senators voted for M. A. Aldrich:

Senators Carter, Haben, Morgan, Paul, Rankin, Smith and Weaver — 7.

Charles E. Bross having received a majority of all votes cast, was declared duly elected chief clerk, whereupon he took the oath of office, which was administered by the president.

On motion of Senator McFetridge, the senate proceeded to the election of a sergeant-at-arms.

Senator Richardson placed the name of Chalmers Ingersoll in nomination.

The roll being called, the following senators voted for Chalmers Ingersoll:

Senators Bennett, Blackstone, Burrows, Chipman, Fifield, Griffin, Grimmer, Houghton, Hyde, Kellogg, McFetridge, McGrew, Price, Quarles, Richardson, Ryland, Sacket, Scott, Sutherland, Thomas, Van Schaick, Van Steenwyk and Woodman — 23.

The following senators voted for A. F. Warden:

Senators Anderson, Carter, Haben, Morgan, Paul, Rankin, Smith and Weaver — 8.

Chalmers Ingersoll, having received a majority of all the votes cast, was declared duly elected as sergeant-at-arms, whereupon he took the oath of office, which was administered by the president.

On motion of Senator Fifield, the senate proceeded to the election of president *pro tem*.

Senator Price placed in nomination the name of Thos. B. Scott.

The roll being called, the following senators voted for Thos. B. Scott:

Senators Bennett, Blackstone, Burrows, Chipman, Fifield, Griffin, Grimmer, Houghton, Hyde, Kellogg, McFetridge, McGrew, Morgan, Price, Quarles, Richardson, Ryland, Sacket, Sutherland, Thomas, Van Schaick, Van Steenwyk and Woodman — 23.

The following senators voted for Lyman Morgan:

Senators Anderson, Carter, Haben, Paul, Rankin, Scott, Smith and Weaver — 8.

Senator Scott, having received a majority of all the votes cast, Senators Price and Anderson were appointed a committee to escort him to the chair, on assuming which he thanked the senators for the honor they had conferred upon him in choosing him to preside over their deliberations, in the absence of the lieutenant governor, and invoked their counsel and assistance in the discharge of the duties they had called upon him to perform.

The president resumed the chair and read the following list of messengers:

*Messengers* — Ralph Irish, J. G. Hyland, Ed. Potter, Chas. Pierce, Gustav Mosier, John Rindlaub, T. Nelson, John Schmidt, John Bohn, Willie P. Brown.

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## RESOLUTIONS INTRODUCED.

By Senator McFetridge:

Res. No. 1, S.

*Resolved*, That the chief clerk of the senate is hereby instructed to notify the assembly that the senate is now organized by the election of Thomas B. Scott, as president *pro tem*.; Chas. E. Bross, as chief clerk, and C. Ingersoll, as sergeant-at-arms, and is now ready to proceed to business.

Adopted.

By Senator Sacket:

Res. No. 2, S.,

*Resolved*, That the standing committees of the senate, for the present session, be constituted as follows, viz:

*Judiciary*.—H. E. Houghton, J. A. Kellogg, O. B. Thomas, G. E. Sutherland, M. Griffin, J. V. Quarles, J. W. Blackstone, Joseph Rankin, G. H. Paul.

*State Affairs*.—G. B. Burrows, E. C. McFetridge, M. Anderson.

*Railroads.* — H. S. Sacket, I. W. Van Schaick, G. B. Burrows, S. S. Fifield, G. Van Steenwyk, J. B. Bennett, T. B. Scott, Joseph Rankin, Lyman Morgan.

*Education.* — E. E. Woodman, O. B. Thomas, G. H. Paul.

*Manufactures and Commerce.* — E. C. McFetridge, I. W. Van Schaick, L. Morgan.

*Incorporations.* — G. Grimmer, T. B. Scott, L. Morgan.

*Town and County Affairs.* — C. L. Dering, J. B. McGrew, A. Haben.

*Public Lands.* — W. E. Chipman, D. M. Kelly, A. Haben.

*Military Affairs.* — J. A. Kellogg, W. E. Chipman, J. Rankin.

*Privileges and Elections.* — E. Hyde, C. L. Dering, R. Weaver.

*Legislative Expenditures.* — J. V. Quarles, H. S. Sacket, R. Weaver.

*Federal Relations.* — M. Griffin, J. B. McGrew, P. H. Smith.

*Roads and Bridges.* — J. B. Bennett, G. Grimmer, B. F. Carter.

*Agriculture.* — J. W. Blackstone, E. Houghton, Matt. Anderson.

*Insurance, Banks and Banking.* — G. Van Steenwyk, G. W. Ryland, P. H. Smith.

*Enrolled Bills.* — G. E. Sutherland, W. T. Price, R. Weaver.

*Engrossed Bills.* — G. W. Ryland, E. E. Woodman, Matt. Anderson.

*Joint Committee on Claims.* — W. T. Price, D. M. Kelly, B. F. Carter.

*Charitable and Penal Institutions.* — H. Richardson, E. Hyde, A. Haben.

*Printing.* — S. S. Fifield, H. Richardson, G. H. Paul.

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## RESOLUTIONS INTRODUCED.

By Senator Chipman:

Res. No. 3, S.,

*Resolved*, That the rules of the senate of last session be adopted as the rules of this senate until otherwise ordered.

Senator Kellogg offered the following amendment:

That senate rule No. 13 is hereby amended by striking out the word "five" in the third line, and inserting in lieu thereof the word "nine," so that the rule shall read as follows:

The committee on Judiciary shall consist of nine members; the committee on Railroads shall consist of nine members, and all other standing committees shall consist of three members each.

Which was adopted, and the resolution as amended was adopted.

By Senator Hyde:

Res. No. 4, S.,

*Resolved*, That the resident clergy of the city of Madison be and they are hereby respectfully requested to open the sessions of the senate with prayer.

Adopted.

By Senator Van Schaick:

Res. No. 5, S.,

*Resolved*, That the sergeant-at-arms be and he is hereby authorized to employ one document room attendant.

Adopted.

By Senator Van Steenwyk:

Jt. Res. No. 1, S.,

*Resolved by the senate, the assembly concurring*, That a committee of two from the senate and three from the assembly, be appointed to wait on his excellency, the governor, and inform him that the legislature is now organized, and is ready to receive any communication he may have to make.

Which was adopted, and Senators Van Steenwyk and Haben were appointed as such committee on the part of the senate.

By Senator Grimmer:

Jt. Res. No. 2, S.,

*Resolved by the senate, the assembly concurring*, That the joint rules of the last legislature be adopted as the joint rules of this.

Adopted.

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On motion of Senator Fifield,  
The senate took a recess until 2 P. M.

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2 o'CLOCK P. M.

Senate called to order by the president.

On motion of Senator Price, a recess until half-past three o'clock was taken.

3:30 o'CLOCK P. M.

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Senate called to order by the president.

On motion of Senator Van Steenwyk, a recess was taken until four o'clock P. M.

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4 o'CLOCK P. M.

Senate called to order by the president.

## MESSAGE FROM THE ASSEMBLY.

By J. E. ELDRED, chief clerk thereof:

MR. PRESIDENT:

I am directed to inform you that the assembly has elected A. A. Arnold as speaker, J. E. Eldred as chief clerk, and D. H. Pulcifer as sergeant-at-arms; is now organized, and ready to proceed to business.

And has concurred in

Jt. Res. No. 1 S.,

Appointing a committee to wait on his excellency, the governor.

And has appointed as such committee, on part of the assembly, Messrs. Colby, Kelsey and Bentley.

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REPORTS OF SELECT COMMITTEES.

The joint committee appointed to wait upon his excellency, the governor, to inform him that the legislature is organized, and ready to receive any communication he may have to submit, would respectfully report that they have waited upon his excellency, and are informed by him that he will submit his message Thursday, the 15th day of January, at 12 o'clock noon, in the assembly chamber.

G. VAN STEENWYK,

A. HABEN,

*On the part of the Senate.*

C. L. COLBY,

CHAS. S. KELSEY,

JOHN BENTLEY,

*On the part of the Assembly.*

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On motion of Senator McFetridge,  
The senate adjourned.

THURSDAY, JANUARY 15, 1880.

10 O'CLOCK A. M.

The senate met.

The president in the chair.

Prayer by Rev. Mr. Benson.

The roll was called, and the following senators responded to their names:

Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Fifield, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, McFetridge, McGrew, Morgan, Paul, Price, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Sutherland, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman.

The journal of yesterday was approved.

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### LEAVES OF ABSENCE

Were granted to Senators Fifield and Richardson until Monday evening.

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### REPORT.

By Senator Van Steenwyk:

OFFICE OF LUMBER INSPECTOR,  
DISTRICT No. 2, WISCONSIN,  
LA CROSSE, *January 12, 1880.*

*To the honorable, the legislature of Wisconsin:*

Agreeable to chapter 84 of the revised statutes of Wisconsin, I have the honor to transmit herewith a statement of amount of logs scaled and lumber manufactured in this lumber district during the season of 1879:

Amount of logs scaled at mouth of Black river.....	151,848,290 feet.
Amount of lumber manufactured on upper Black river....	5,500,000 feet.
Total product of Black river.....	<u>157,348,290 feet.</u>
Amount of lumber manufactured at La Crosse and immediate vicinity .....	73,500,000 feet.
Amount of shingles manufactured.....	33,500,000
Amount of lath manufactured .....	<u>28,200,000</u>

ALEXANDER HYSLOP,  
*Lumber Inspector Dist. No. 2, Wis.*

### RESOLUTIONS INTRODUCED.

By Senator Burrows:

Jt. Res. No. 3, S.,

WHEREAS, This legislature learns that a bill is now before congress, having for its object the bridging of the Detroit river; and,

WHEREAS, The result of the passage of such a bill would very materially injure the commercial interests of our great lakes, by obstructing this important avenue of our immense commerce, and would be productive of incalculable mischief and serious loss to our lake marine; and

WHEREAS, it is preferable that a tunnel should be constructed at a point where competent engineers have determined that it is entirely practicable, and adequate to meet all the advantages sought to be obtained by railways requiring economical means of crossing said river, and which would obviate the necessity of placing fatal obstructions in the strait that connects our great inland seas, which form a free highway without an equal on earth; and

WHEREAS, The action of this legislature has always been in favor of uninterrupted commerce between the states, and also of granting all facilities necessary to cheapen transportation from the west to the seaboard; and

WHEREAS, Available means can be devised to accommodate railways crossing said river, without endangering a most important general interest, therefore be it

*Resolved by the senate, the assembly concurring,* That this legislature, in conjunction with other states and communities interested in the commercial welfare of our great western states, do hereby most earnestly and emphatically protest against the bridging of the Detroit river, for the reason that extensive marine interests would be seriously affected by detention, damage and other causes, that would necessarily follow the obstructing of this great natural channel-way, at a point where there is an average transit of one craft every six minutes, demanding a safe passage.

*Resolved,* That our senators be instructed and our representatives in congress be requested to oppose any bill authorizing the bridging of said river.

*Resolved*, That the governor be authorized and instructed to forward a copy of these resolutions to each of our senators and members of congress.

On motion of Senator Burrows,

The rules were suspended and the resolution adopted.

By Senator Price:

Jt. Res. No. 4, S.,

*Resolved by the senate, the assembly concurring*, That the two houses of the legislature meet in joint convention in the assembly chamber at 12 M., January 15, to receive the message of his excellency, the governor.

Adopted.

By Senator Houghton:

Res. No. 6, S.,

*Resolved*, That the sergeant-at-arms be and he is hereby authorized to employ a wash room attendant.

Adopted.

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## BILLS INTRODUCED.

Read first and second times and referred.

By Senator Burrows:

No. 1, S.,

A bill to regulate the practice of dentistry in the state of Wisconsin.

To committee on State Affairs.

By Senator Thomas:

No. 2, S.,

A bill to authorize the Commissioners of Public Lands to loan a portion of the trust funds of the state to the county of Vernon.

To committee on State Affairs.

By Senator Kellogg:

No. 3, S.,

A bill to amend chapter 167, general laws 1879, entitled an act to amend sections 3329 and 3330 of the revised statutes of 1878, entitled of liens.

To committee on Judiciary.

By Senator Kellogg:

No. 4, S.,

A bill to permit the boards of supervisors of counties to exempt their respective counties from the provisions of sections 1623, 1624 and 1625 of the revised statutes of 1878, providing for the taxation of dogs.

To committee on Judiciary.

By Senator Kellogg:

No. 5, S.,

A bill empowering commissioners of United States courts to administer oaths and take and certify the acknowledgment of deeds and other instruments in writing.

To committee on Judiciary.

By Senator Weaver:

No. 6, S.,

A bill for the prevention of cruelty to minors.

To committee on Charitable and Penal Institutions.

By Senator Blackstone:

No. 7, S.

A bill authorizing the commissioners of school and university lands of the state of Wisconsin to extend the time of payment of loans made from the school fund to school district No. 2, in town of Darlington.

To Committee on State Affairs.

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### MESSAGE FROM THE ASSEMBLY.

By J. E. ELDRED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has adopted, and asks the concurrence of the senate in the adoption of,

Jt. Res. No. 2, A.,

Appointing joint committee to wait upon the judges of the supreme court and state officers, and invite them to attend the joint convention to hear the governor's message. And has appointed Messrs. Pierce, Brindley and Freeman as such committee on the part of the assembly.

And has concurred in the adoption of

Jt. Res. No. 2, S.,

Adopting joint rules of last legislature.

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### ASSEMBLY MESSAGE CONSIDERED.

Jt. Res. No. 2, A.,

Was concurred in, and Senators Fifield and Paul appointed a committee on part of the senate.

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On motion of Senator Houghton,

The senate took a recess until 11:50 A. M.

11:50 o'CLOCK, A. M.

The senate called to order by the president.

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### REPORTS OF SELECT COMMITTEES.

The select committee appointed to invite the judges of the supreme court and the state officers to attend the convention, reported that they had performed their duty.

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### MESSAGE FROM THE ASSEMBLY.

By J. E. ELDRED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has adopted and asks the concurrence of the senate in the adoption of,  
Jt. Res. No. 3, A.,  
Relating to adjournment until Monday, the 19th inst.

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### ASSEMBLY MESSAGE CONSIDERED.

Jt. Res. No. 3, A.,  
Was concurred in.

By direction of the president, the senate repaired to the assembly chamber to meet the assembly in joint convention to listen to the reading of the message of his excellency the governor.

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### JOINT CONVENTION.

The senate and assembly being in joint convention,  
Senator Burrows offered the following resolution:

*Resolved*, That a committee of one from the senate and two from the assembly be appointed to wait upon his excellency, the governor, and inform him that the senate and assembly, in joint convention assembled, are ready to receive his message.

The resolution was adopted, and the president appointed as such committee Senator Burrows, and Messrs. Brindley and Freeman.

During the absence of the committee, the judges of the supreme court entered and were seated on the floor.

The committee to wait on the governor returned with his excellency the governor, accompanied by the state officers, who were presented to the joint convention by the president.

The governor then delivered his

ANNUAL MESSAGE

as follows:

*Fellow-citizens of the Senate and Assembly:*

By the favor of Divine Providence you are permitted to convene in annual legislative session at this time, under most favorable circumstances. Although the people of Wisconsin suffered as little inconvenience, during the recent protracted depression in business, in the prosecution of their public and private affairs, as the people of any state, and less than in most of the states, and except in rare instances were entirely unacquainted with actual privation or suffering, yet none the less is it true, that progress and development were materially impeded and enterprise and enthusiasm well nigh exhausted. The past year, however, has witnessed many auspicious changes. Everywhere reviving industry betokens returned prosperity; hope has supplanted doubt, and despondency given way to cheerfulness. Labor and capital are once more in substantial accord, and never was a new year heralded with more encouraging promises.

It affords me much pleasure to be able to assure you that the affairs and condition of the state are equally satisfactory. It will appear from the various reports of officers and boards of management that economy has characterized public expenditures and faithfulness and efficiency been manifest in all the state departments, and institutions. Bespeaking for these reports, which are replete with valuable information, an early and careful perusal, I submit for your present consideration, in as brief space as possible, the more important particulars, commencing with the

PUBLIC FINANCES.

The receipts into the state treasury during the fiscal year ending September 30, 1879, from all sources, were.....		\$1,812,682 80
Balance September 30, 1878 .....		403,288 29
Total.....		<u>\$2,215,971 09</u>

The disbursements during the same period, for all purposes,

were .....	\$1,637,146 49
Balance September 30, 1879 ..	588,824 60
Total, as before .....	<u>\$2,215,971 09</u>

The amount on hand September 30, 1879, was credited to the several funds, as follows :

General fund.....	\$273,281 49
School fund .....	34,435 45
School fund income.....	19,229 61
Normal School fund .....	23,948 25
Drainage fund .....	5,049 76
University fund.....	5,812 60
Agricultural College fund .....	86,248 22
Delinquent tax fund.....	1,943 52
Deposit fund.....	7,540 20
St. Croix & Lake Superior R. R. trespass fund.....	172,774 71
St. Croix & Lake Superior R. R. deposit fund.....	7,564 60
Redemption fund .....	30 32
Allotment fund .....	965 87
Total .....	<u>\$588,824 60</u>

#### GENERAL FUND.

The receipts into the general fund during the fiscal year were.	\$1,249,338 02
Balance from previous year.....	79,055 98
	<u>\$1,328,394 00</u>

Of this sum there was derived from

Direct State tax .....	\$682,388 99
Railroad companies, license taxes.....	395,886 46
Insurance companies, fees and license taxes .....	45,772 76
Miscellaneous sources.....	<u>125,289 81</u>

The disbursements from this fund have been, for

Interest on the public debt.....	\$157,560 00
School fund.....	7,088 36
High schools .....	25,000 00
State University.....	41,310 30
Salaries and other permanent appropriations.....	109,023 62
Legislative expenses.....	84,301 61
Benevolent and penal institutions.....	378,815 72
Miscellaneous purposes .....	252,012 90
Total.....	<u>\$1,055,112 51</u>

The disbursements from this fund, which represent the actual expenses of the state, have been for several years past as follows :

In 1872 .....	\$1,076,443 96	In 1876 .....	\$1,137,788 65
In 1873 .....	1,191,966 01	In 1877 ...	1,204,900 40
In 1874 .....	1,038,703 84	In 1878 .....	1,047,796 23
In 1875 .....	1,260,168 39	In 1879 .....	1,055,112 51

#### TRUST FUNDS.

The condition of the several educational trust funds, at the close of the fiscal year, was as follows :

School fund, at interest .....	\$2,679,557 10	on hand,	\$34,435 45
University fund, at interest.....	219,079 01	on hand,	5,812 60
Agricultural College fund, at interest..	228,471 02	on hand,	36,248 22
Normal School fund, at interest.....	1,029,929 52	on hand,	23,948 25
Total, at interest.....	<u>\$4,157,036 65</u>	on hand,	<u>\$100,444 52</u>

The increase, during the year, in the amount at interest, is \$67,895.46, and the decrease in the amount on hand, \$12,852.02 — a net increase of \$55,043.44.

#### CONTINGENT FUND.

January 1, 1879, the balance to the credit of the Governor's contingent fund was \$381.91. The appropriation to that fund last year was \$1000.00, and the expenditures therefrom \$392.10, leaving a balance to the credit of that fund at the beginning of the calendar year of \$989.81.

#### 'INDEBTEDNESS.

The aggregate indebtedness of the state remains as at the close of the last fiscal year, and consists of

War bonds outstanding.....	\$11,000 00
Certificates of indebtedness to trust funds.....	2,241,000 00
Currency certificates .....	57 00
Total.....	<u>\$2,252,057 00</u>

The indebtedness of the counties, cities, towns, villages and school districts in the state, amounts to \$10,115,898.19, according to the returns made to the Secretary of State. More than usual efforts have been made during the past year to secure accuracy in these returns, and it is believed they are essentially correct. The

total public indebtedness of the people of Wisconsin is, therefore, \$12,367,955.19, or at the rate of about eight and one-half dollars per capita of estimated population, and three and one-third per cent. of the assessed valuation.

#### ASSESSMENTS.

The values of all property in the state subject to taxation as returned by the assessors for the past two years, are as follows :

Personal property in 1878.....	\$96,077,208 00	in 1879,	\$98,127,940 00
City and village lots, in 1878...	103,399,469 75	in 1879,	85,545,746 50
Other real estate, in 1878.....	255,863,904 57	in 1879,	232,629,498 50
Totals.....	<u>\$455,340,582 32</u>		<u>\$406,303,185 00</u>

This shows an apparent decrease in valuation of \$49,037,397.32, and is an indication of the zeal with which communities seek to avoid the payment of their just proportion of the public expenditures. It is evident that the value of taxable property in Wisconsin has not decreased since the assessment of 1878. Indeed, we all know that it has materially increased, and that the assessment ought to show it. I do not attribute the blame for these under-valuations solely to assessors. They cannot be expected to do otherwise than reflect the public sentiment. They are the agents and the servants of the people by whom they are elected. Nevertheless, it is much to be regretted that assessments cannot be obtained, as the law requires, upon the basis of actual value, and thus show the real ratio of taxation.

The question, also, as to the policy or right of the state to exempt any, except public, property from taxation, is being agitated in various sections of the state, and the arguments adduced in favor of making every class of property contribute equally to the support of the government which protects it, are worthy of your most considerate attention. I shall very cheerfully co-operate with you in any measure, looking to the correction of the evils incident to the present system of assessment.

#### TAXES.

The total taxes levied in the state for the year 1878, amounted to \$7,969,859.00, which is \$61,769.00 less than the total taxes for

the previous year, and was at the rate of \$1.93 on each one hundred dollars of the state assessment for that year.

The purposes for which these taxes were levied, the respective amounts and rates, are as follows :

State tax.....	\$681,589	rate.....	. 165
County tax.....	1,770,481	rate.....	.43
Town tax....	2,428,497	rate.....	.58 7
School tax.....	1,998,742	rate.....	.48 4
Road tax.....	1,090,050	rate .....	.26 4

These figures, of course, represent only the direct taxes levied upon property. Quite large amounts were collected by the state, and cities, villages and towns, in addition thereto, by way of licenses and otherwise. What the total amount collected and disbursed for public purposes may have been, I am unable to state. The total state tax, direct and indirect, is represented by the payments into the general fund, and these amounted to \$1,120,837.81, in the fiscal year ending September 30, 1878, and to \$1,249,338.02 in the fiscal year ending September 30, 1879. The increase during the last fiscal year is very satisfactorily accounted for in the excess of cash on hand at its close.

In my last annual message, referring to the state tax then being collected, I said: "It is confidently expected that this tax will pay all the expenditures of the year 1879, and in addition, very materially reduce, if it does not entirely extinguish, the deficiency in the general fund which has appeared on each first day of January for several years last past." It gives me much pleasure to inform you that this expectation has been more than realized. January 1, 1878, the general fund was over-drawn \$146,488.87. January 1, 1879, it was over-drawn \$74,880.88. January 1, 1880, the surplus or balance on hand belonging to this fund was \$145,406.49.

The state tax now being collected is \$455,871.89, which is \$226,517.10 less than was apportioned for collection last year and more than twenty-three per cent. less than the least tax in many preceding years. I sincerely hope that this tax and the receipts from other sources, with the amount now to the credit of the general fund, may be found ample for all the ordinary disbursements

of the present year, and to that end invite your most rigid scrutiny of all bills appropriating money.

#### ESTIMATES.

The Secretary of State estimates the expenditures for the calendar year 1880, will be \$968,305.54, and the receipts under existing laws, as follows :

Taxes .....	\$207,855 54
Railway companies.....	395,000 00
Insurance companies... ..	45,000 00
Miscellaneous sources .....	29,600 00
Total .....	<u>\$677,455 54</u>

If your appropriations do not materially exceed the Secretary's estimates, a tax levy by this legislature of \$290,850.00 will be ample for all purposes.

It does not need, I think, that I should amplify the views heretofore expressed upon the subject of appropriations and public expenditures. It is neither prudent nor popular to withhold what is necessary. The people of Wisconsin are not stingy, nor do they expect their representatives to be niggardly in the management of public business. They realize that penuriousness does not constitute economy, and therefore will approve wise expenditures and account them profitable investments.

#### EDUCATION.

The report of the State Superintendent shows that the total amount of money expended for the support of the common schools of the state during the past year, was \$2,152,783.15, seventy-four per cent. of which was for teachers' wages; that 293,286 pupils attended these schools, and received instruction from 9,875 teachers in 5,626 school houses. The estimated value of these school houses is \$4,319,445.81; of the sites upon which they are located, \$738,520.95, and of the apparatus they contain, \$157,012.30 — an aggregate investment for common school purposes of \$5,214,979.06. The total number of children over four and under twenty years of age, is reported at 484,353, with less than 3,000 of them in school districts maintaining schools less than five months in the year.

The expenditures for the four Normal Schools were \$72,708.07, of which \$57,498.40 were paid to instructors. The attendance during the year aggregated 1,803 different pupils.

The catalogue of the State University shows 431 different students in attendance during the year. The Board of Regents report \$70,558.18 paid out during the year for current expenses, of which \$40,206.77 were received by instructors.

These statistics are presented for your consideration, not by way of criticism or complaint, but with the hope that they will attract to the subject of education the attention which its importance demands. I believe our schools are improving from year to year, particularly the rural district schools, where the mass of our people receive their education, and that this improvement is due, in large measure, primarily to the zealous and intelligent labors of state and county superintendents, and the enthusiastic co-operation of the professional teachers who have graduated from our Normal Schools and State University, and the excellent colleges and other institutions of learning not in any way aided by the state. It is, therefore, a serious misapprehension to assume, as I fear many do, that the only justification and reason for expending the large sums of money necessary to equip and maintain our Normal Schools and University, are to be found in the direct and primary results of their labors in furnishing the opportunity and means of education to the pupils in attendance. These results, though in and of themselves by no means unimportant, are among the least of the benefits conferred by these institutions. Their full fruition is not seen without including the public schools, proper, and the good therein accomplished.

The ordinary income of the University is derived from the interest upon the University and Agricultural College funds, amounting last year to \$30,344.23, and the proceeds of the one-tenth of a mill tax provided for in section 390 of the Revised Statutes, which was \$41,310.30. These sums appear to be adequate for all the present necessities of the institution, and if the present ratio of assessment is to continue, there is perhaps no necessity for any change in the law; but if it should be increased, as it ought to be to represent more nearly the actual value of taxable property, there would seem to be manifest propriety in chang-

ing the form of the appropriation from an indefinite to a fixed sum,—such sum, be it more or less, as the legitimate needs of the University may require.

#### INDUSTRIAL SCHOOLS.

The whole number of boys in attendance at the Industrial School for Boys, in Waukesha, during the last fiscal year, was 435, and the average attendance 425. The number admitted was 125, as against 151 last year, and the number discharged 113. The current expenses were \$12,866 72, or at the rate of \$100.86 per inmate, as against \$114.52 last year. The amount paid for salaries and wages was \$13,810.36, and for subsistence \$11,097.41. The sum of \$13,800.00 has been paid towards the erection of new buildings.

The managers ask for an appropriation of \$30,000, in addition to surplus and the sums to be received from counties, to meet the expenses of the current year.

Of the amounts heretofore appropriated for building purposes, there will remain, when the present buildings are completed and paid for, the sum of \$5,201.74, which the managers propose to expend in building a hospital and ice house. They claim that this sum represents in part the value of the labor of the boys in the erection of the buildings the past summer, and that it may therefore be legitimately expended in providing other needed structures.

The epidemic which prevailed in that institution last summer attracted wide attention and elicited much discussion. It is easy to be wise after the fact. The health of the boys, and all connected with the school, had been for years exceptionally good, under circumstances and conditions, to all appearance, precisely similar to those existing when the disease broke out, and the managers are not censurable because they did not discover the indiscoverable. The total number of cases of typho-malarial fever, in a population of near 500, was 30, six of them terminating fatally. The promptness, vigor and skill with which the disease was handled after its breaking out, is creditable to the managers and the attending physician.

The managers of the Industrial School for Girls in Milwaukee

are not required to report to the state, but do, in fact, favor me with a copy of their report when published. Not having received their report for the past year, I am unable to give you the details of their work. I have, however, visited their institution, and been much gratified and encouraged in witnessing the success of the labors of the philanthropic ladies who have its management in charge. I am persuaded that the advantages of this school are not sufficiently known or appreciated throughout the state. Magistrates and others who are clothed with authority and with responsibilities in such matters, should see to it that girls who ought to be in that school are sent there, as they see to it that boys are sent to the school in Waukesha. Woman's influence and example, for evil, as well as for good, are far more potent than man's, and hence it is vitally important that girls whose surroundings or habits are leading them into the paths of shame, and sin, and crime, should be rescued — rescued not alone for themselves but for the public good.

The building and the site occupied by the Industrial School for Girls, are the property of the state. There is some necessary grading to be done upon and around the grounds, and something also should be done in the way of ornamentation, by planting trees, constructing walks and otherwise. The managers have no funds with which to do this work or means of securing them, except by voluntary benefactions, and all that can be secured in this way are needed to meet current expenses. I therefore recommend an appropriation to the managers to enable them to make these necessary improvements.

#### DEPENDENT CHILDREN.

I cannot forbear in this connection calling attention to the unsatisfactory provision made by the state for the care of dependent children who are simply poor and without homes. The authorities are by law wisely prohibited from sending them to the poor-house, and with equal reason ought to be prohibited from sending them to the industrial schools. They ought not to be brought into association or contact with paupers or with children who are incorrigible or have begun criminal practices. Their true places are in the thousands of homes where they are needed and would

be welcome, where they could confer as well as receive benefits. Institution life at best is but a poor substitute for home, and in the cases of these children should be only a halting place and distributing station. The more I reflect upon this subject the more positive become my convictions, that the next public enterprise to be undertaken in Wisconsin should be a school for dependent children, separate and distinct from the industrial schools.

#### STATE PRISON.

The number of convicts confined in the State Prison, September 30, 1879, was 309 — thirty-seven less than were there a year previous. The average number in confinement was 328 — nine less than the average for the preceding year. There were only 130 commitments during the year, as against 213 for the year ending September 30, 1878. It does not follow, however, that there has been a decrease in crime, as under the change in the law relating to larceny, many are now sentenced to county jails who were formerly sent to State Prison. I am very reluctant to recommend a return to the law as it was prior to the revision of the statutes, and yet it must be conceded that incarceration in the average jail is not conducive to reformation of character. However unfortunate it may be for this class of offenders, it certainly is creditable to the state, that our criminal population is not numerous enough to justify the erection of an intermediate prison. A temporary and tentative solution of the problem may possibly be found in utilizing the north wing of the prison at Waupun as an intermediate prison, under some appropriate name other than State Prison. This would obviate the necessity of erecting new and expensive buildings and providing an extra corps of superintendents and officers, and measurably remove the odium attaching to sentence to State Prison.

Of the 130 convicts committed to the State Prison during the last fiscal year, only twenty had theretofore been in prison and but seventeen were without the rudiments of an education. The total cost to feed, warm, clothe, guard, instruct and discharge the prisoners was \$40,270.08, or \$2.36 each per week. The principal items of disbursements were, for salaries and wages \$15,535.75, and for subsistence, \$14,367.02. The total receipts from all sources

were \$16,619.23, the disbursements \$17,183.24, and the cash balance at the close of the year was \$11,090.44. The expenses for the current fiscal year are estimated at \$12,825.00, of which the prisoners' earnings are not expected to pay to exceed three-fourths. It seems almost impossible to correct the false impression, that because the prison authorities do not ask for appropriations the prison has become self-supporting. The time is apparently not far distant when the accumulated capital will be exhausted, and moderate appropriations be required to meet deficiencies — and in justice to all concerned this fact should not be forgotten. It has been the aim of the directors and warden, first of all, to place the prison upon the highest ground as a reformatory, and this, from considerations of wise economy as well as utility. The great cost of crime is not in prison expenses, but in the expenditures looking to the protection of life and property, and the arrest, detention and conviction of criminals.

The directors renew their recommendations of last year in regard to the good time law and extra provision in extreme cases for discharged prisoners, and I commend these recommendations to your favorable consideration. I also renew the recommendations contained in my previous messages in regard to the substitution of indeterminate for fixed sentences.

#### BENEVOLENT INSTITUTIONS.

The trustees of the Wisconsin Soldiers' Orphans' Home have submitted their fourteenth annual report, and therein give a brief resume of the work done and the expenses incurred in the prosecution of this charity since the 31st day of March, 1866, when the Home was adopted by the state. Six hundred and eighty-three children have shared in the benefits of the Home, and the total cost to the state has been \$342,300. From the Ward and Smith fund, originally amounting to \$25,554.97, and its accumulations, there has been paid to former inmates of the Home the sum of \$18,716.99, and there remains on hand, in cash and bonds, the sum of \$15,552.77.

At the Northern Hospital for the Insane 757 patients have received treatment, of whom 65 were discharged recovered and 68 improved. The daily average of patients was 553. The total

expenditures were \$132,452.62, of which \$21,985.56 were for additions, repairs and improvements, leaving as current expenses the sum of \$110,467.06, or at the rate of \$200 for each patient. The current expenses for the next hospital year are estimated at \$122,991.96, requiring an appropriation, in addition to other sources of revenue, of \$72,339.45. The superintendent and trustees think it expedient to construct a tunnel from Lake Winnebago to the hospital in order to secure an adequate and unfailing supply of water, and not rely, as now, exclusively upon the artesian well, which may fail. The estimated cost of the improvement is \$15,000.00. They also ask appropriations for a steam fire engine, \$5,000.00, and sundry other purposes \$3,500.00.

The Wisconsin State Hospital for the Insane has given treatment to 607 patients during the year, and reports 37 discharged cured, and 35 discharged improved. The average number under treatment was 425, and the total expenditures were \$135,555.82, of which \$30,951.83 were for additions, repairs and improvements, by which, among other points gained, the capacity of the hospital has been increased to accommodate 180 additional patients. Some of these additions had not been authorized by the Legislature, but it was practicable to secure so much additional room for such comparatively trifling expense, altogether unprecedented in the history of hospital construction, that the trustees ventured to anticipate your approval of the necessary expenditures therefor. The current expenses at this hospital were \$104,603 99 — an average of \$246.12 for each patient. The current expenses for the next hospital year are estimated at \$121,550.00, to meet which, in addition to other revenues, \$79,657.00 must be appropriated. The increase in the number of patients beyond the number estimated for, will occasion a deficiency in the funds before the close of the hospital year. To meet this deficiency and for other purposes, additional appropriations, aggregating \$55,166.00, are requested. I do not clearly understand, from the report of the board, their method of arriving at this sum, but you will be able to determine the amount required for actual necessities by ascertaining the condition of their treasury at the present time, and the probable demands upon it for the current year.

The building for the Milwaukee County Insane Asylum is nearly ready for occupancy, and will, I hope, answer the expectations of the people in relieving the State Hospital, so that there need not be for some years to come any complaint that the insane of Wisconsin are not amply provided for.

The sum to be paid by the state towards the erection of this asylum has not yet been definitely ascertained, but it is estimated that it will amount to about \$70,000.

At the Institution for the Education of the Blind, 90 pupils were in attendance. The total expenditures were \$20,051.80, of which \$18,653.84 were for current expenses, the average per scholar being \$207.26. The estimates for the present year are \$18,000 for current expenses, and \$1,200 for special improvements. The cost of salaries and wages was \$6,420.57, and of subsistence, \$4,385.87.

At the Institution for the Education of the Deaf and Dumb, 187 names were upon the register at the close of the fiscal year, with an actual attendance of 122, several of the younger children having been returned to their homes after the fire. The total disbursements were \$30,318.50, of which \$1,210.66 were for permanent improvements and replacing articles lost in the fire. The cost of salaries and wages was \$12,363.62, and of subsistence, \$6,266.36. The current expenses for the present year are estimated at \$32,000.

Experiments are being conducted at this institution in the articulate system of teaching, with most satisfactory results. Nearly one-third of the pupils have received instruction in the use of the voice, and the progress made encourages the trustees to continue the system.

It is known to all that the main building, erected by the state for the accommodation of this institution, was totally consumed by fire, September 16, 1879. Fortunately the only loss was in the destruction of property and the temporary inconvenience to the school. Immediately upon hearing of this disaster, I went to Delavan, and there met the full Board of Trustees. The citizens of Delavan generously opened their houses to the homeless teachers and pupils, and their hospitality was accepted for a time for

the girls and some of their teachers—the boys finding quarters in the gymnasium and other buildings not burned. Most of the furniture, clothing of pupils, and school room appliances had been saved, and it therefore became practicable, at very moderate expense, to fit up the buildings, not destroyed, for temporary use, and keep the school in progress. With my full approbation this course was determined on, and in fact the regular lessons were omitted but for one day. An early special appropriation should be made to meet the expenses incurred in the prosecution of this work.

I have no special recommendations to submit in regard to the future of this institution. I assume that the state of Wisconsin will continue to provide ample accommodations and appliances for the education of its deaf and dumb. The building or buildings should be planned with reference solely to the uses for which they are intended, and then they will be symmetrical and in good taste. It does not need that they should be surmounted by domes or spires or towers, or that the accommodations for teachers or pupils should be palatial in any respect. The plans and estimates should receive your careful attention and scrutiny.

Pending the erection of buildings for this institution, I would recommend that such of the deaf and dumb children in the state as cannot be accommodated at Delavan, should be furnished instruction and maintenance at the Phonological Institute in Milwaukee, at the expense of the state. This will furnish instruction to those who need it, render much needed assistance to one of the youngest and most promising of our private charities, and give an opportunity to test the respective merits of the two systems of instruction, the one confined exclusively to the articulate method, and the other combining both the sign and articulate methods.

As in preceding years, I have visited all the state institutions during the year, and most of them more than once. The more familiar I become with the workings of each, the greater is my interest in its special mission, and the more I am convinced that the management of each is efficient and faithful. I do not presume to judge of every detail of administration, nor to inquire into all the reasons for appointments and discharges. Boards of

management and control are clothed with important responsibilities, and of necessity must be accorded a correspondingly liberal discretion in the choice of ways and means, and subordinates. Unquestionably, it is the duty of the Governor to exercise such a degree of supervision as may be necessary to prevent mal-administration ; but further than that he cannot be expected to go. Some complaints in this direction have reached me during the past year, and in every such case I have deemed it my duty to make, or cause inquiry to be made ; have sometimes advised with the local board ; and, had occasion required, should have used the discretionary authority confided to the Governor for that purpose.

I have every reason to believe that the educational and charitable institutions in the state, under private management and supported by private benefactions, are in all ways meeting the just expectation of their founders and promoters. They supplement and complete the work which the state can do only in part. There ought to be, and I believe there is, cordial co-operation between them and the state institutions.

The labors of the

STATE BOARD OF CHARITIES AND REFORM,

During the past year, as in those preceding it, have been more onerous than pleasant, and, as frequently happens to public servants, the good that they do is not so much talked about as the evil that may escape their notice. In addition to their customary duties, they were required by my order to investigate into the management of the House of Correction of Milwaukee county. The details and results of that investigation have been widely published in the public press and I forbear to repeat them here. I heartily concur in the recommendation of the board, that the law authorizing the confinement of prisoners in that institution for offenses which in other counties would be punished by confinement in the state prison, should be repealed.

You will find the general report of the Board an interesting and comprehensive document, well worthy your most studious perusal.

## THE STATE BOARD OF HEALTH AND VITAL STATISTICS

have been active and untiring in the discharge of the duties confided to them, and are entitled to the gratitude of the people for the good they are accomplishing. I especially commend to your attention that portion of their report which treats of illuminating oils. Numerous accidents have occurred in Wisconsin during the past year, in consequence of using inferior oil. The law should be amended so as to prohibit the sale of any oil of fire test below the point of practical safety as determined by experts.

## GEOLOGICAL SURVEY.

By the terms of the law, the 31st day of March last was designated as the date for the completion of the geological survey of the state, but the functions of the chief geologist were continued for the purpose of completing the publication of the report, and the payment of a fair compensation therefor authorized.

The report of this officer shows that Volume III is in the hands of the bookbinder, and that about half of the material for Volume IV is in stereotype plates. Volume I, which, by the terms of the law, must embrace a summary of the general geology and the leading facts and principles relating to the material interests of the state, and be so arranged as to constitute a key to the more perfect understanding of the whole report, must necessarily await the completion of the other volumes. The manuscript for this volume is, however, in part prepared, and the present year may witness the final summing up of this work.

The expenses of the survey from October 1, 1878, to March 31, 1879, the date of the cessation of all fixed salaries, were \$5,000. Since that date there has been paid the sum of \$958.85.

## FISH CULTURE.

The report of the Commissioners of Fisheries is made direct to the Legislature. The report for the past year, prepared by the secretary, will be found unusually full and interesting, and, I trust, satisfactory. Our efforts in restocking lakes and rivers with the kinds of fish best adapted to them, have been eminently successful, and the experimental stage of the enterprise has been

safely passed. It only remains for the Legislature to determine from year to year how much shall be done, and the results can be predicted with as much certainty as in any other branch of industry. The expenditures for the last calendar year were \$5,305.95, the amount on hand for the present year is \$5,731.90, and an appropriation of \$5,000 is requested for next year.

#### RAILROADS.

From the report of the Railroad Commissioner, it appears that 89.90 miles of new railroad have been completed in Wisconsin during the past year, making the aggregate number of miles now in operation 2,943.40, inclusive of 107.47 miles of narrow gauge track. The total number of miles of road operated by the companies reporting to the commissioner is 4,765.03. The cost of these roads and their equipments, as represented by capital stock and outstanding bonds, is \$205,185,806.88, and the net earnings are reported at \$12,691,006.90, being an average of 6.2 per cent. on the assumed cost. The total number of passengers carried on all the lines was 5,336,688, and the freight carried amounted to 7,997,399 tons. The number of personal casualties in Wisconsin was 133, as against 196 the previous year. On the entire lines of these roads, in all the states, there were 284 casualties. The number of passengers killed was two, neither of them in this state, and the number injured was eight. It seems almost incredible that of the whole number of passengers carried only ten were injured; and this fact reflects the highest credit, not only upon the care and vigilance of the managers and superintendents, but also upon the skill and fidelity of the thousands of mechanics and workmen in the shops and along the line, and upon the conductors and engineers, and their assistants, who run the trains.

#### RIVER IMPROVEMENT.

During the past year, two important delegate conventions have been held, one at Quincy and the other at Louisville, to consider the important subjects connected with the improvement of the navigation of the Mississippi river and its tributaries. It is of vital importance to the northwest that these natural highways should be protected from unnecessary obstructions, and their

capacity increased to the utmost attainable limit. To accomplish this, it is necessary that some comprehensive general system of improvement should be devised and then pressed upon the attention of congress, to the exclusion of local clamor or prejudice. The conventions referred to were attended by practical men, interested in the matters under consideration, and their conclusions and recommendations should be not without influence with congress and the people, in arresting the pernicious practices which have hitherto obtained.

It has become quite the habit recently to refer to the improvement of the Fox and Wisconsin rivers in any but complimentary and assuring terms. Nevertheless, the work progresses and will be completed. Despite all claims and assertions to the contrary, the experiments by Government engineers in charge, have demonstrated that it is practicable so to guide and control the waters of the Wisconsin that they shall dredge a navigable channel from Portage to the Mississippi. The United States has undertaken this work ; the Chief of Engineers has been instructed by Congress to prepare and submit final plans and estimates, and under his direction a board of engineers has made a careful survey and filed their report, which will soon be published. Congress should be urged by this Legislature and by the people, to go on with the work more vigorously than ever before, by placing money enough at the disposal of the engineer in charge to complete it without delay.

#### PUBLIC LANDS.

The report of the Commissioners of Public Lands for the last year has been prepared with exceptional care. All the books have been carefully reviewed, and tabulations made showing the exact condition of the trust funds and the public lands.

The number of acres of land held by the state September 30, 1878, was reported at.....	1, 538, 825.07
Increase by forfeiture during the year .....	24, 051.88
Increase by error in former reports.....	27, 550.50
Increase from school land indemnity.....	37, 089.09
	<hr/>
	1, 627, 516.54
Decrease by sales during the year.....	52, 827.21
	<hr/>
Held by the state September 30, 1879.. . . .	<u><u>1, 574, 689.33</u></u>

The total expense of securing the 37,089.09 acres of indemnity school lands was \$677.87, of which \$492.00 was paid as fees to the registers and receivers of United States Land offices.

Encouraged by the success of the methods adopted in the prosecution of the claim for indemnity for deficiencies in school lands, I determined, with the advice and co-operation of the Commissioners of the Public Lands, to adopt similar methods in presenting the claim of the state for deficiencies in swamp lands. These methods were, in brief, to obtain accurate information in regard to the extent and merits of the claim, and then present it, and the evidence to sustain it, in such plain and concise manner that others may understand it. The preliminary work, now about complete, has required much extra labor from the clerks in the Land Department, which it is due to them to say has been most cheerfully rendered.

#### MILITIA.

I esteem it a great misfortune that the Legislature of Wisconsin has not hitherto addressed itself to the serious consideration of measures for the proper organization and equipment of the state militia. We cannot hope always to escape disorders and tumults similar to those which have arisen in other states and nations. It is therefore neither prudent nor economical to postpone from year to year such preparations as the experience of others has shown to be indispensable for the discipline and instruction of that branch of the service upon which we must rely to suppress such tumults, as may arise any day, too formidable to be controlled by the civil authorities.

At the present time the organized militia of the state, known as the Wisconsin National Guard, numbers twenty-six companies, and has an aggregate of 1,810 officers, non-commissioned officers, and privates. The total expenditures during the year on account of the National Guard, were \$9,442.86.

Renewing my former recommendations that provision be made for regimental and battalion organizations and annual encampments, I submit the matter to your consideration, and such action as you may deem for the best interests and welfare of the state.

## INTEREST.

There is no subject likely to come before you for consideration during the present session upon which a greater divergence of opinion is entertained, than upon the subject of the proper rate of interest to be permitted by law upon the loan or forbearance of money. It is urged that the present law, under present circumstances, is prejudicial as well to those who would lend as to those who must borrow money; that large amounts of capital are withheld from investment waiting for higher rates of interest, and that many enterprises are thereby crippled. I commend this subject to your mature consideration, trusting that you will be able to agree upon a measure which, while just to all concerned, shall also liberate capital, encourage industry, and afford to all classes of citizens the protection they have the right to expect from the law.

## AGRICULTURE.

I much regret that the statistics of agriculture returned to the Secretary of State, are so incomplete and unreliable as to be practically worthless. It is well, perhaps, to continue the law and try to educate assessors to comprehend and comply with its terms but until greater accuracy is secured, it is unsafe to rely upon the statistics thus obtained, or attempt to institute comparisons. It can be said, in general terms, that the agricultural interests of Wisconsin were never more prosperous, nor agriculturists, as a class, more heartily in accord with the progressive tendencies of the age. Indeed, all industries seem to thrive in Wisconsin, and should receive encouragement, but agriculture so largely predominates as to demand special recognition, and therefore appropriations to the State and Northern Agricultural Societies might be supplemented by limited aid to the Horticultural Society and Dairymen's Association. All these societies have been most serviceable agents in leading Wisconsin to its present enviable position in the various departments of agriculture, and it is certain that the aid heretofore extended to them has been returned many hundred fold.

## CONCLUSION.

Every year brings to us new proofs of the vigor and elasticity of our republican form of government, and of the wisdom and the courage of a republican people. In the school of experience, parties and men are learning that compromises with error are fatal, and that only the right is expedient. There is much to encourage us, therefore, in the belief, not only that the people of Maine will speedily cause right and justice to prevail there, but also, that in the broader domain of the nation, the time is not far distant when right and justice will everywhere and in all things prevail, and national supremacy insure domestic tranquillity, promote the general welfare and secure the blessings of liberty to ourselves and our posterity.

WILLIAM E. SMITH.

MADISON, *January* 15, 1880.

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The purposes of the convention being accomplished, the president declared the convention dissolved, and the senators returned to their chamber.

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After being called to order by the president,  
On motion of Senator Rankin,  
The senate adjourned until 7:30 P. M. Monday.

MONDAY, JANUARY 19, 1880.

7:30 o'CLOCK P. M.

The senate met.

President *pro tem.* Scott in the chair.

The roll was called, and the following senators answered to their names:

Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Grimmer, Haben, Hyde, McGrew, Paul, Quarles, Rankin, Richardson, Ryland, Scott, Smith, Sutherland, Thomas, Van Schaick, Van Steenwyk and Woodman.

The journal of Thursday, the 15th inst., was approved.

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### RESOLUTIONS INTRODUCED.

By Senator Fifield:

Jt. Res. No. 5, S.,

*Resolved by the senate, the assembly concurring,* That the time for the reception of all new business, except privileged resolutions, and bills and resolutions reported by standing or select committees on subject matter previously referred to them, be fixed for and on Thursday, February 5, 1880, and that no new business, except as herein provided for, be received after such date.

To committee on Legislative Expenses.

By Senator Ryland:

Jt. Res. No. 6, S.,

Joint resolution in regard to the withdrawal of the legal tender character of United States notes.

WHEREAS, It appears by the proceedings in the present session of congress that bills are, and probably will be, introduced, having for their object the withdrawal of United States notes from circulation, or otherwise depriving them of their legal tender efficiency; therefore,

*Resolved by the senate and assembly of the state of Wisconsin,* That the people of this state, whom they represent, are almost unanimously opposed to any such enactment by the present congress; that the present volume of this currency is none too great for the business of the country, so long as it can be made equal to

the gold and silver, which it pledges the United States to pay; and though we reject the delusion that mere legislation can convert paper into precious metals, and are aware that this equality can only be maintained by such a reserve of coin that any holder of any United States notes may obtain from the treasury their face in gold or silver dollars, whenever presented, yet the cost of this redemption fund is more than counterbalanced by the convenience and safety in keeping, carrying and handling paper money; besides the amount of this reserved fund for deduction purposes is greatly reduced by the law which made these notes a legal tender, which law it is proposed to repeal.

*Resolved*, That the people of this state are highly gratified with the course taken by their representatives in the present congress, on this vital question, all of whom, it is believed, will unite in opposing any bill or proposition for the present retirement of the national currency, in any way divesting it of its present power, and, so far as the senate and assembly reflect the opinions of the people of this state, our representatives in congress may be assured that they approve a sentiment expressed in a resolution offered by one of our senators in congress, to the purport that the present business prosperity of the country should not be disturbed or endangered by any new financial schemes of the present congress.

*Resolved*, That the governor of this state shall immediately cause a copy of the foregoing resolution to be sent to each of our senators and representatives in congress.

Lies over.

By Senator Burrows:

Res. No. 8, S.,

*Resolved*, That the sergeant-at-arms be and he is hereby authorized to employ an additional gallery attendant.

Adopted.

By Senator Blackstone:

Res. No. 9, S.,

*Resolved*, That the superintendent of public property be and he is hereby requested to furnish for the use of the senate, one copy of the revised statutes of 1878, one copy of the session laws of 1879, one copy of the senate journal and one copy of the assembly journal for 1879, to each senator, lieutenant governor, chief clerk, and sergeant-at-arms of the senate.

Adopted.

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## BILLS INTRODUCED.

Read first and second times and referred.

By Senator Fifield:

No. 8, S.,

A bill to appropriate a certain sum of money therein named to George W. Perry.

To committee on Claims.

By Senator Thomas:

No. 9, S.,

A bill to authorize Thomas W. Gay, James A. Robb and Samuel H. Robb, their associates and assigns, to construct and maintain a dam across the Kickapoo river on land owned by them.

To committee on Incorporations.

By Senator McGrew:

No. 10, S.,

A bill to repeal sections 1623, 1624 and 1625 of chapter 72 of the revised statutes of 1878, relating to taxation of dogs.

To committee on Judiciary.

By Senator Hyde:

No. 11, S.,

A bill to amend section 329 of chapter 20 of the revised statutes of 1878, relating to the publication of the laws.

To committee on Judiciary.

By Senator Sutherland:

No 12, S.,

A bill relating to fences.

To committee on State Affairs.

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## MEMORIALS TO CONGRESS.

By Senator Grimmer:

M. C., No. 1, S.,

A memorial to congress for an appropriation to complete the breakwater and harbor at the entrance to the harbor of refuge in Sturgeon Bay, Wisconsin.

To committee on Federal Relations.

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## MESSAGE FROM THE ASSEMBLY.

By J. E. ELDRED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has concurred in the adoption of

Jt. Res. No. 4, S.,

Providing for joint session of the senate and assembly to receive the governor's message.

And to inform you that the assembly is now ready to receive the senate in joint convention for the purpose of hearing the message of his excellency the governor.

## MESSAGE FROM THE ASSEMBLY.

By J. E. ELDRED, chief clerk thereof

MR. PRESIDENT:

I am directed to inform you that the assembly has concurred in the adoption of

Jt. Res. No. 3, S.,

Relating to the bridging of Detroit river.

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On motion of Senator Bennett,  
The senate adjourned.

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TUESDAY, JANUARY 20, 1880.

The senate met.

The president in the chair.

Prayer by the Rev. Mr. Benson.

The roll was called, and the following senators answered to their names:

Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, McFetridge, McGrew, Morgan, Paul, Quarles, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Sutherland, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman.

The journal of yesterday was approved.

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## RESOLUTIONS INTRODUCED.

By Senator Scott:

Res. No. 10, S.,

*Resolved*, That the chairman of the committee on Engrossed Bills be and is hereby authorized to employ a clerk for said committee; that the sergeant-at-arms be and he is hereby authorized to employ an attendant to the enrolling rooms and an attendant to the rooms of chief clerk and president of senate.

Adopted.

By Senator Van Steenwyk:

Res. No. 11, S.,

*Resolved*, That the name of "committee on Insurance, Banks and Banking," be and the same is hereby amended so as to read, "committee on Finance, Banking and Insurance," in conformity with No. 13 of the rules and orders of the senate.

Adopted.

## BILLS INTRODUCED.

Read first and second times and referred.

By Senator Richardson:

No. 13, S.,

A bill to provide for the purchase of Webster's Unabridged Dictionaries.

To committee on Education.

By Senator Sutherland:

No. 14, S.,

A bill to amend chapter 195 of the laws of 1878, entitled an act to incorporate the city of Waupun.

To committee on Incorporations.

By Senator Scott:

No. 15, S.,

A bill to authorize James McCrossen and others to build a dam across and otherwise improve Spirit river, in Lincoln county, Wisconsin.

To committee on Incorporations.

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REPORTS OF COMMITTEES.

The committee on Enrolled Bills have examined and find correctly enrolled,

Jt. Res. No. 3, S.,

Relating to the bridging of the Detroit river.

G. E. SUTHERLAND,

*Chairman.*

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MESSAGE FROM THE ASSEMBLY.

By J. E. ELDBRED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has passed, and asks the concurrence of the senate in the passage of,

M. C. No. 2, A.,

Memorial to congress for an appropriation to construct light houses at the entrance of the Sturgeon Bay canal, and at Sherwood's Point at the entrance of Sturgeon Bay in Wisconsin.

And has adopted, and asks the concurrence of the senate in the adoption of

Jt. Res. No. 4, A.,

Congratulating the people of Maine.

## ASSEMBLY MESSAGE CONSIDERED.

Jt. Res. No. 4, A.,

Congratulating the people of the state of Maine.

Senator Rankin moved that the resolution be referred to the committee on Charitable and Penal Institutions.

The motion was lost.

Senator Rankin offered the following amendment:

Amend the resolution by adding the words "or bribery" after the words "by fraud and force," and by adding the words "of any party" after the words "bad men."

The question being on the adoption of the amendment, the ayes and noes were called for and the

Amendment was adopted by the following vote: Ayes, 25; noes, 5; not voting, 3.

*Ayes*—Senators Anderson, Blackstone, Carter, Chipman, Dering, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, McFetridge, McGrew, Morgan, Quarles, Rankin, Richardson, Ryland, Scott, Smith, Sutherland, Thomas, Van Schaick, Van Steenwyk and Weaver — 25.

*Noes* — Senators Bennett, Burrows, Fifield, Sacket and Woodman — 5.

On motion of Senator Burrows, further consideration of the resolution was postponed until to-morrow.

M. C. No. 2, A.,

Memorial to congress for an appropriation to construct lighthouses at the entrance of the Sturgeon Bay canal, and at Sherwood's Point at the entrance of Sturgeon Bay, in Wisconsin.

Was referred to the committee on Federal Relations.

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MEMORIALS TO CONGRESS.

By Senator Morgan:

M. C. No. 2, S,

Memorial to congress for the more adequate improvement of Port Washington harbor.

On motion of Senator Morgan,

The rules were suspended and the memorial was passed.

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On motion of Senator Houghton,  
The senate adjourned.

WEDNESDAY, JANUARY 21, 1880.

The senate met.

The president in the chair.

Prayer by the Rev. Mr. Benson.

The roll was called and the following senators answered to their names:

Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, McFetridge, McGrew, Morgan, Paul, Price, Quarles, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Sutherland, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman.

*Absent* — Senator Kelly.

The journal of yesterday was approved.

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#### LETTERS, PETITIONS, Etc.

By Senator Morgan:

Pet. No. 1, S.,

Memorial from the county board of supervisors of Washington county, Wisconsin, for an appropriation to construct additional rooms adjoining the hospital at Oshkosh, for the care of the incurably insane persons.

To committee on Charitable and Penal Institutions.

By Senator Scott:

Pet. No. 2, S.,

Petition from Wm. Welch, enclosing petition of Wm. G. Dix, for a national convention to revise the constitution of the United States.

To committee on Federal Relations.

By Senator Quarles:

Pet. No. 3, S.,

Petition of Peter O'Zanne and fifty others, for the repeal of the dog tax.

To committee on State Affairs.

By Senator Fifield:

Pet. No. 4, S.,

Petition of Elias Hoover, R. F. Peck, Louis Peterson, Eli Tuttle and one hundred and four others, citizens of Eureka, Polk county, asking for the repeal of the dog law.

To committee on State Affairs.

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## RESOLUTIONS INTRODUCED.

By Senator Sutherland:

Res. No. 12, S.,

*Resolved*, That the present annual message of his excellency, Governor William E. Smith, and the recommendations contained therein, be referred to the several committees, as follows:

So much thereof as relates to interest, finance, receipts, indebtedness, estimates and expenditures, to the committee on Finance, Banks and Insurance.

So much thereof as relates to education, to the committee on Education.

So much thereof as relates to the militia, to the committee on Military Affairs.

So much thereof as relates to river and harbor improvements, to the committee on Federal Relations.

So much thereof as relates to railroads, to the committee on Railroads.

So much thereof as relates to the State Board of Charities and Reform, the State Board of Health, and the Geological Survey, to the committee on State Affairs.

So much thereof as relates to fish culture and agriculture, to the committee on Agriculture.

So much thereof as relates to public lands, to the committee on Public Lands.

So much thereof as relates to charitable, penal and benevolent institutions, to the committee on Charitable and Penal Institutions.

Adopted.

By Senator Hyde:

Res. No. 13, S.,

WHEREAS, Mrs. Dunbar has generously tendered for the use of this senate, from the celebrated "Bethesda Spring," all the water the senators may require during the present session of the legislature; and,

WHEREAS, The water is both pure and medicinal; therefore,

*Resolved*, That the senate accept the generous offer, and hereby also tender Mrs. Dunbar a vote of thanks.

Adopted.

## BILLS INTRODUCED.

Read first and second times and referred.

By Senator Scott:

No. 16, S.,

A bill to authorize John Phelps, his associates or assigns, to erect and maintain a dam across the Wisconsin river, and make other improvements in the Wisconsin river in Lincoln county.

To committee on Incorporations.

By Senator Hyde:

No. 17, S.,

A bill to amend section 2455 of chapter 114 of the revised statutes of 1878, entitled of county courts.

To committee on Judiciary.

By Senator Fifield:

No. 18, S.,

To appropriate to the commissioners of fisheries a certain sum therein named.

To committee on Claims.

By Senator Weaver:

No. 19, S.,

A bill to protect surgeons, physicians, dentists and patients from the morbid condition of the nervous system sometimes produced by the administration of anæsthetics.

To committee on State Affairs.

By Senator Weaver:

No. 20, S.,

A bill relating to the Milwaukee and Brookfield Macadamized Turnpike Company, and amendatory of section 1, chapter 27 of the laws of 1878.

To committee on Roads and Bridges.

By Senator Griffin:

No. 21, S.,

A bill to authorize Elijah Swift, his heirs and assigns, to erect and maintain a dam across Mud Brook.

To committee on Incorporations.

By Senator Sutherland:

No. 22, S.,

A bill to amend section 4153 of the revised statutes, relating to evidence.

To committee on Judiciary.

By Senator Sutherland:

No. 23, S.,

A bill to amend sections 3875 and 3878 of the revised statutes of 1878, relating to the sale of lands by executors and administrators.

To committee on Judiciary.

By Senator Woodman:

No. 24, S.,

A bill relating to non-registered voters, and amendatory of section 24 of the revised statutes of 1878.

To committee on Judiciary.

By Senator Griffin:

No. 25, S.,

A bill to amend chapter 284 of the private and local laws of 1866, entitled an act to incorporate the Eau Claire Lumber Company.

To committee on Judiciary.

By Senator Grimmer:

No. 26, S.,

A bill to authorize Jes. Ericson and E. C. Manger to maintain a boom in Kewaunee river, in Kewaunee county.

To committee on Incorporations.

By Senator Grimmer:

No. 27, S.,

A bill to amend section 4771 of the revised statutes of 1878, in relation to security of costs in criminal cases.

To committee on Judiciary.

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## REPORTS OF COMMITTEES.

The committee on Federal Relations, to whom was referred

M. C. No. 2, A.,

For an appropriation to construct lighthouses at the entrance of the Sturgeon Bay canal, and at Sherwood's Point, at the entrance of Sturgeon Bay, in Wisconsin,

Have had the same under consideration, and instruct me to report the same back, with the recommendation that it be concurred in.

M. GRIFFIN,  
*Chairman.*

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The committee on State Affairs to whom was referred

No. 7, S.,

A bill authorizing the commissioners of school and university lands of the state of Wisconsin to extend the time of payment of loans made from the school fund to school district No. 12, in town of Darlington,

Have had the same under consideration, and report the same back with amendment, and recommend its passage when so amended.

GEO. B. BURROWS,  
*Chairman.*

## RESOLUTIONS CONSIDERED.

Jt. Res. No. 4, A.,

Congratulating the state of Maine.

Senator Thomas moved that the vote by which the amendment to the resolution was adopted, be reconsidered.

The ayes and noes being demanded,

It was decided in the affirmative; ayes, 20; noes, 9; not voting, 4.

The vote was as follows:

*Ayes*—Senators Bennett, Blackstone, Burrows, Chipman, Dering, Fifield, Griffin, Houghton, Hyde, Kellogg, Quarles, Richardson, Ryland, Sacket, Scott, Sutherland, Thomas, Van Schaick, Van Steenwyk and Woodman—20.

*Noes*—Senators Carter, Grimmer, Haben, McFetridge, McGrew, Morgan, Rankin, Smith and Weaver—9.

Senator Thomas offered the following amendment:

Strike out all after the first resolve and insert the following:

That the people of the state of Wisconsin, represented in senate and assembly, tender hearty congratulations to the people of the state of Maine, at the firm stand taken by their law abiding citizens in opposing the late attempt to trample under foot their known will as expressed through the ballot box, the overthrow of which, recently threatened the honor and fair fame of that sister commonwealth, and which attempt, if successful, would have endangered, not only the permanency of republican institutions in that state, but have cast doubt upon the stability of republican government through the country.

*Resolved further*, That we recognize in the just and important results which have been achieved by a timely appeal to the highest judicial tribunal of the state, without resort to violence or force, a triumph of the principles of free government which challenges the respect and admiration of every friend of free institutions, and which, while it exalts the dignity of the law and honors the sentiment which invoked its aid in the high interests of peace, order and justice, rebukes with signal emphasis the party in that state that has deliberately and shamefully attempted by illegal and wanton means to defeat the will of the people, and to perpetuate power by fraud and violence.

*Resolved further*, That we urge them to watchful and untiring vigilance until complete success be accomplished, and the will and the voice of the people be fully recognized.

*Resolved further*, That the governor of this state be requested to forward a copy of the foregoing resolutions to Governor Davis, governor of the State of Maine, by telegraph, with the request that he transmit the same to the senate and assembly of that state.

Senator Rankin moved that further consideration of the amendment be postponed until to-morrow and spread upon the journals and upon this question demanded the ayes and noes.

It was decided in the negative: Ayes, 10; noes, 20; not voting, 3.

The vote was as follows:

*Ayes* — Senators Anderson, Bennett, Carter, Grimmer, Haben, Morgan, Rankin, Smith, Van Steenwyk and Woodman — 10.

*Noes* — Senators Blackstone, Burrows, Chipman, Dering, Fifield, Griffin, Houghton, Hyde, Kellogg, McFetridge, McGrew, Quarles, Richardson, Ryland, Sacket, Scott, Sutherland, Thomas, Van Schaick and Weaver — 20.

The amendment offered by Senator Rankin was lost.

The question being on the adoption of the amendment offered by Senator Thomas,

Senator Rankin called for a division of the question, and demanded the ayes and noes upon the first resolution.

It was decided in the affirmative: Ayes, 28; noes, 2; not voting, 3.

The vote was as follows:

*Ayes* — Senators Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, McFetridge, McGrew, Quarles, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Sutherland, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman — 28.

*Noes* — Senators Anderson and Morgan — 2.

The question being on the adoption of the remainder of the resolution,

The ayes and noes were demanded. It was decided in the affirmative: ayes, 22; noes, 8; not voting, 3.

The vote was as follows:

*Ayes* — Senators Bennett, Blackstone, Burrows, Chipman, Dering, Fifield, Griffin, Houghton, Hyde, Kellogg, McFetridge, McGrew, Quarles, Richardson, Ryland, Sacket, Scott, Sutherland, Thomas, Van Schaick, Van Steenwyk and Woodman — 22.

*Noes* — Senators Anderson, Carter, Grimmer, Haben, Morgan, Rankin, Smith and Weaver — 8.

The resolution was then concurred in as amended.

Jt. Res. No. 6, S.,

In regard to the withdrawal of legal tender character of United States notes.

On motion of Senator Ryland, further consideration of the resolution was postponed until Friday the 23d inst.

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## MESSAGE FROM THE ASSEMBLY.

By J. E. ELDRED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has adopted, and asks the concurrence of the senate in the adoption of,

Jt. Res. No. 5, A.,

Limiting new business.

Jt. Res. No. 6, A.,

Instructing the superintendent of public property to sell stationary to employes.

Jt. Res. No. 9, A.,  
Resolution relating to soldiers' reunion in the city of Milwaukee,  
June 7, 1880, and on question of certain favors from congress,  
And has concurred in the passage of,  
M. C. No. 2, S.,  
Memorial to congress for the more adequate improvement of  
Port Washington harbor.

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#### ASSEMBLY MESSAGE CONSIDERED.

Jt. Res. No. 5, A.,  
Limiting new business.  
Jt. Res. No. 6, A.,  
Instructing the superintendent of public property to sell stationery to employes,  
Were referred to the committee on Legislative Expenditures.  
On motion of Senator Woodman,  
The rules were suspended, and Jt. Res. No. 9, A.,  
Was concurred in.

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On motion of Senator Blackstone,  
The rules were suspended and  
No. 7, S.,  
A bill to authorize commissioners of school and university lands of the state of Wisconsin to extend time of payment of the loan made from the school fund to school district No. 12, town of Darlington,  
Was taken from the file, the amendments adopted, and the bill read a third time and passed.

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On motion of Senator Woodman,  
The senate adjourned.

THURSDAY, JANUARY 22, 1880.

10 o'CLOCK A. M.

The senate met.

The president in the chair.

Prayer by the Rev. Mr. Benson.

The roll was called, and the following senators answered to their names:

Senators Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, McFetridge, McGrew, Morgan, Paul, Quarles, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Sutherland, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman.

The journal of yesterday was approved.

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#### LEAVES OF ABSENCE.

Leave of absence was granted to Senator Price indefinitely. To Senator Anderson until to-morrow; to Senator Blackstone after this session until Monday; to Senator Scott after this session until Tuesday, and to Senator Rankin until Monday evening.

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#### RESOLUTIONS INTRODUCED.

By Senator Quarles:

Jt. Res. No. 7, S.,

Requesting the senators and members of congress from Wisconsin to support a certain bill in relation to immediate transportation of dutiable goods.

WHEREAS, A bill has been introduced in the house of representatives of the congress of the United States, entitled "a bill to amend the statutes in relation to the immediate transportation of dutiable goods," and

WHEREAS, Such bill has been referred to the committee of Ways and Means of said house for consideration; and

WHEREAS, The passage of the said bill would be a great and lasting benefit to the state of Wisconsin, and to all the inte-

rior states, by reason of liberating their foreign trade from existing impediments, and giving to the ports of entry of such states their constitutional equality with seaboard ports; therefore,

*Resolved by the senate, the assembly concurring,* That the representatives in congress be requested, and the United States senators from the state of Wisconsin be instructed, to do all in their power to procure the speedy passage of the said bill.

*Be it further resolved,* That his excellency the governor be and is hereby requested to forward a certified copy of these resolutions to each of the senators and congressmen representing the people of Wisconsin in congress.

(On motion of Senator Richardson,

The resolution was referred to the committee on Federal Relations.

By Senator Hyde:

Res. No. 14, S.,

*Resolved,* That the use of the senate chamber be and it is hereby tendered this evening to Mrs. Mattie A. Bridge, for the purpose of delivering her lecture on "Human Freedom."

Adopted.

By Senator Sacket:

Res. No. 15, S.,

*Resolved,* That the superintendent of public property be and is hereby requested and authorized to furnish to each newspaper correspondent engaged in reporting the proceedings regularly of the senate, one copy of the revised statutes and session laws, to be furnished on the written certificate of the chief clerk of the senate, that the applicants are in daily attendance on the sittings of the senate, and regularly engaged in reporting the proceedings for publication.

Lies over.

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On motion of Senator Blackstone, the rules were suspended, and the vote by which

No. 7, S.,

A bill authorizing the commissioners of school and university lands of the state of Wisconsin to extend the time of payment of loans made from the school fund to school district No. 12, in town of Darlington,

Was passed, was reconsidered, and the bill was indefinitely postponed.

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### BILLS INTRODUCED.

Read first and second times and referred.

By Senator Blackstone:

No. 28, S.,

A bill to authorize the commissioners of public lands of the state

of Wisconsin to extend the time of payment of the loan made from the trust funds of the state to school district No. 12, in the town of Darlington, formerly town of Center.

On motion of Senator Blackstone, the rules were suspended, the bill was read a third time and passed.

By Senator Kellogg:

No. 29, S.,

A bill to amend chapter 34 of the revised statutes, entitled of the militia, and the act amendatory thereof, and to provide for the greater efficiency of the Wisconsin National Guard.

To committee on Military Affairs.

By Senator Scott:

No. 30, S.,

A bill to authorize A. D. Lunt and P. M. Musser to build a dam across and otherwise improve Elk river, in Price county, for log-driving purposes.

To committee on Incorporations.

By Senator Scott:

No. 31, S.,

A bill to provide compensation for completing the transcribing of the senate and assembly journals.

To committee on Claims.

By Senator Scott:

No. 32, S.,

A bill to amend section 111 *a* of the revised statutes of 1878, entitled of the legislature.

To committee on Judiciary.

By Senator Thomas:

No. 33, S.,

A bill in relation to the judges of the supreme court.

To committee on Judiciary.

By Senator Ryland:

No. 34, S.,

A bill relating to bonds of counties, cities, villages or towns, and amendatory of section 960 *a*, chapter 41, revised statutes of 1878.

To committee on Judiciary.

By Senator Bennett:

No. 35, S.,

A bill to amend section 3572 of chapter 154, revised statutes of 1878, entitled of general provisions and of the jurisdiction of justices in civil actions.

To committee on Judiciary.

By Senator Smith:

No. 36, S.,

A bill to appropriate the sum of five hundred dollars to the Wisconsin Dairymen's Association.

To committee on Claims.

By Senator Dering:

No. 37, S.,

A bill to amend section 2626, revised statutes of 1878, relating to change of venue in civil cases, and to amend section 4680, revised statutes of 1878, relating to the changes of venue in criminal cases.

To committee on Judiciary.

By Senator McFetridge:

No. 38, S.,

A bill to appropriate to Dodge county a sum of money therein named.

To committee on Claims.

By Senator Ryland:

No. 39, S.,

A bill to include the Chicago & Tomah railroad in the provisions of chapter 153 of the general laws of 1879, and amendatory of said chapter.

To committee on Railroads.

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### REPORTS OF COMMITTEES.

The committee on Incorporations, to whom was referred

No. 9, S.,

A bill to authorize Thomas W. Gay, James A. Robb and Samuel H. Robb, their associates and assigns, to construct and maintain a dam across the Kickapoo river on land owned by them.

Have had the same under consideration, and report the same back with the recommendation that it do pass.

No. 15, S.,

A bill to authorize James McCrossen and others to build a dam across and otherwise improve Spirit river, in Lincoln county, Wisconsin.

Report the same back with amendment, and recommend that it pass when so amended.

GEO. GRIMMER,  
*Chairman.*

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The committee on Education, to whom was referred

No. 13, S.,

A bill to provide for the purchase of Webster's Unabridged Dictionaries,

Have had the same under consideration, and would respectfully report that it meets their unanimous approval; that they find it to contain a provision for the appropriation of money, and therefore report it back to the senate, with the recommendation that it be recommitted to the committee on Claims for further consideration.

EDWIN E. WOODMAN,  
*Chairman.*

So ordered.

The committee on Federal Relations, to whom was referred  
M. C., No. 1, S.,

A memorial to congress for an appropriation to complete the  
breakwater and harbor at the entrance to the harbor of refuge in  
Sturgeon Bay, Wisconsin.

Have had the same under consideration, and instruct me to re-  
port the same back, with the recommendation that it do pass.

M. GRIFFIN,  
*Chairman.*

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The committee on State Affairs, to whom was referred  
No. 2, S.,

A bill to authorize the commissioners of public lands to loan a  
portion of the trust funds of the state to the county of Vernon.

Have had the same under consideration, and respectfully report  
it back with the recommendation that it do pass.

GEO. B. BURROWS,  
*Chairman.*

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On motion of Senator Thomas,

The rules were suspended, and the bill was read a third time and  
passed.

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The committee on Enrolled Bills have examined and find cor-  
rectly enrolled

M. C. No. 2, S.,

For the more adequate improvement of Port Washington harbor.

GEO. E. SUTHERLAND,  
*Chairman.*

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The committee on Legislative Expenditures, to whom was re-  
ferred

Jt. Res. No. 5, S.,

Relating to the introduction of new business,

Jt. Res. No. 6, A.,

Instructing the superintendent of public property to sell station-  
ery to employes,

Have had under consideration both joint resolutions, and instruct  
me to report the same back with the recommendation that Jt. Res.  
No. 5, S., be adopted, and that Jt. Res. No. 6, A., be concurred in.

J. V. QUARLES,  
*Chairman.*

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On motion of Senator Rankin,

The rules were suspended, and

Jt. Res. No. 5, S.,

Came up for consideration.

Senator Rankin offered the following amendment:

Amend by striking out the words "Thursday 5th" and inserting "Monday 9th" in lieu thereof.

Senator Bennett offered the following amendment to the amendment: Strike out the words "Monday 9th," and insert "Tuesday 10th."

The amendment to the amendment was lost.

The amendment was then lost, and the resolution adopted.

Jt. Res. No. 6, A.,

On motion of Senator Rankin, the resolution was indefinitely postponed.

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#### BILLS ON THEIR ENGROSSMENT AND THIRD READING.

M. C. No. 2, A.,

For an appropriation to construct lighthouses at the entrance of the Sturgeon Bay canal, and at Sherwood's Point, at the entrance of Sturgeon Bay, in Wisconsin,

Was ordered to a third reading.

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On motion of Senator Blackstone,  
The senate adjourned.

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FRIDAY, JANUARY 23, 1880.

10 o'clock A. M.

The senate met.

The president in the chair.

Prayer by the Rev. Mr. Benson.

The roll was called, and the following senators answered to their names:

Senators Anderson, Bennett, Burrows, Chipman, Dering, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, McFetridge, McGrew, Morgan, Richardson, Ryland, Sutherland, Thomas, Van Schaick, Van Steenwyk and Woodman.

The journal of yesterday was approved.

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#### LEAVES OF ABSENCE

Were granted to

Senators Fifield and Quarles, until Monday evening.

Senator Carter, until Tuesday evening.

Senator Kellogg, until Tuesday morning.

Senator Richardson moved that when the senate adjourn, it be until 7:30 Monday evening.

Which motion prevailed.

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The president of the senate returned the thanks of Mrs. Mattie A. Bridge to the senators for their courtesy in extending to her the use of the senate chamber for her lecture last evening.

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### LETTERS, PETITIONS, Etc.

By Senator McGrew:

Pet. No. 5, S.,

Petition of the county board of Richland county asking for the modification or repeal of the dog law.

To committee on Judiciary.

On motion of Senator Kellogg,

The petitions in regard to the dog law were taken out of the hands of the committee on State Affairs and recommitted to the committee on Judiciary.

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### RESOLUTIONS INTRODUCED.

By Senator Woodman:

Res. No. 16, S.,

*Resolved*, That the railroad commissioner is requested to furnish the senate with the report of the committee of the national convention of railroad commissioners on the subject of the taxation of railroad securities, together with the abstract of the laws of various states and nations on the same subject, which is embodied therewith, and that the clerk of the senate, on receipt of said report, is hereby directed to cause twelve hundred copies thereof to be printed, one thousand of which shall be for the use of the legislature, and the remainder for the official use of the railroad commissioner.

Lies over.

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### BILL INTRODUCED.

Read first and second times and referred.

By Senator Burrows:

No. 40, S.,

A bill to amend chapter 204, general laws of 1879, entitled an act relating to secret, beneficiary, charitable and benevolent orders.

To committee on Finance, Banks and Insurance.

## REPORTS OF COMMITTEES.

The committee on Judiciary, to whom was referred  
No. 3, S.,

A bill to amend chapter 167, general laws 1879, entitled an act to amend sections 3329 and 3330 of the revised statutes of 1878, entitled of liens.

No. 5, S.,

A bill empowering commissioners of United States courts to administer oaths and take and certify the acknowledgment of deeds and other instruments in writing.

No. 22, S.,

A bill to amend section 4153 of the revised statutes, relating to evidence,

Have had the same under consideration, and have instructed me to report them back with the recommendation that they do pass.

H. E. HOUGHTON,  
*Chairman.*

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The committee on Roads and Bridges, to whom was referred  
No. 20, S.,

A bill relating to the Milwaukee and Brookfield Macadamized Turnpike Company, and amendatory of section 1, chapter 279, laws of 1878,

Have had the same under consideration, and respectfully report it back with the recommendation that it do pass.

J. B. BENNETT,  
*Chairman.*

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## MESSAGE FROM THE ASSEMBLY.

By J. E. ELDBRED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has passed, and asks the concurrence of the senate in the passage of,

No. 8, A.,

A bill to authorize the town of Jefferson, in Jefferson county, to borrow the sum of sixteen hundred and fifty dollars, to build a bridge across Rock river, in said town, and to authorize the commissioners of the public debt of said town to loan said sum to said town.

M. C. No. 1, A.,

Memorial to congress for an appropriation for the proposed harbor at Kewaunee.

And has concurred in the senate amendment to

Jt. Res. No. 4, A.,

Congratulating the people of the state of Maine.

## ASSEMBLY MESSAGE CONSIDERED.

On motion of Senator Bennett,  
The rules were suspended, and  
No. 8, A.,  
Was read a third time and concurred in.  
On motion of Senator Grimmer,  
The rules were suspended, and  
M. C. No. 1, A.,  
Was read a third time and concurred in.

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## SENATE RESOLUTIONS CONSIDERED.

Res. No. 15, S.,  
Furnishing reporters with a copy of revised statutes of 1878,  
Was adopted.  
Jt. Res. No. 6, S.,  
Withdrawing the legal tender character of United States notes,  
On motion of Senator Van Steenwyk,  
Was referred to the committee on Finance, Banks and Insurance.

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## BILLS READY FOR A THIRD READING.

M. C. No. 2, A.,  
Memorial to congress for an appropriation to construct light houses at the entrance of the Sturgeon Bay canal, and at Sherwood's Point at the entrance of Sturgeon Bay in Wisconsin,  
Was read a third time and concurred in.

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## BILLS ON THEIR ENGROSSMENT AND THIRD READING.

M. C. No. 1, S.,  
Memorial to congress for an appropriation to complete the breakwater and harbor at the entrance to the harbor of refuge in Sturgeon Bay, Wisconsin.  
On motion of Senator Grimmer,  
The rules were suspended, and the memorial was read a third time and passed.  
No. 9, S.,  
A bill to authorize Thomas W. Gay, James A. Robb and Samuel H. Robb, their associates and assigns, to construct and maintain a dam across the Kickapoo river on land owned by them,  
Was ordered engrossed and read a third time.  
On motion of Senator Griffin,

No. 15, S.,

A bill to authorize James McCrossen and others to build a dam across and otherwise improve Spirit river, in Lincoln county, Wisconsin,

Was postponed until Wednesday, the 28th inst.

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On motion of Senator Thomas,  
The senate adjourned.

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MONDAY, JANUARY 26, 1880.

7:30 P. M.

The senate met.

The president in the chair.

The roll was called, and the following senators answered to their names:

Senators Anderson, Blackstone, Burrows, Carter, Chipman, Dering, Grimmer, Haben, Houghton, Hyde, McFetridge, Paul, Price Quarles, Rankin, Richardson, Ryland, Smith, Sutherland, Thomas, Van Schaick, Van Steenwyk and Woodman.

The journal of Friday was approved.

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#### LETTERS, PETITIONS, Etc.

By Senator Sutherland:

Pet. No. 6, S.,

Of the members of the bar of Fond du Lac county for the passage of bill for the appointment of a phonographic reporter for the county court of Fond du Lac county.

Referred to the Judiciary committee.

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#### RESOLUTIONS INTRODUCED.

By Senator Price:

Jt. Res. No. 8, S.,

In relation to financial legislation in congress.

*Resolved by the senate, the assembly concurring,* That in the opinion of the legislature, congress ought not to disturb the existing prosperous condition of trade and commerce, by any legislation on financial questions.

*Resolved*, That the governor of this state shall immediately cause a copy of the foregoing resolution to be sent to each of our senators and representatives in congress.

Referred to committee on Finance, Banks and Insurance.

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### BILLS INTRODUCED.

Read first and second times and referred.

By Senator Grimmer:

No. 41, S.,

A bill to amend chapter 141, laws of 1879, entitled an act to amend section 121, chapter 10, revised statutes of 1878, in relation to the distribution of blue books.

To committee on Legislative Expenditures.

By Senator Sutherland:

No. 42, S.,

A bill to amend section 2437 of the revised statutes, in relation to phonographic reporters.

To committee on Judiciary.

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### SENATE RESOLUTIONS CONSIDERED.

Res. No. 16, S.,

*Resolved*, That the railroad commissioner is requested to furnish the senate with the report of the committee of the national convention of railroad commissioners on the subject of the taxation of railroad securities, together with the abstract of the laws of various states and nations on the same subject, which is embodied therewith, and that the clerk of the senate, on receipt of said report, is hereby directed to cause twelve hundred copies thereof to be printed, one thousand of which shall be for the use of the legislature, and the remainder for the official use of the railroad commissioner.

Resolution adopted.

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### BILLS ON THEIR ENGROSSMENT AND THIRD READING.

No. 5, S.,

A bill empowering commissioners of United States courts to administer oaths and take and certify the acknowledgment of deeds and other instruments in writing.

No. 20, S.,

A bill relating to the Milwaukee and Brookfield Macadamized Turnpike Company, and amendatory of section 1, chapter 279, laws of 1878.

No. 22, S.,

A bill to amend section 4153 of the revised statutes, relating to evidence,

Were severally ordered engrossed and read a third time.

On motion of Mr. Burrows,

No. 3, S.,

A bill to amend chapter 167, general laws 1879, entitled an act to amend sections 3329 and 3330 of the revised statutes of 1876, entitled of liens,

Was postponed until to-morrow.

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On motion of Senator Van Steenwyk,  
The senate adjourned.

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TUESDAY, JANUARY 27, 1880.

10 o'Clock A. M.

The senate met.

The president in the chair.

Prayer by the Rev. Mr. Maltby.

The roll was called and the following senators answered to their names:

Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, McFetridge, McGrew, Morgan, Paul, Quarles, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Sutherland, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman.

The journal of yesterday was approved.

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## COMMUNICATIONS.

MADISON, *January 27, 1880.*

The president presented the following communication from the railroad commissioner:

Hon. J. W. BINGHAM:

*Lt. Governor and President of the Senate:*

SIR: I have the honor to transmit herewith, for the use of the senate, the inclosed report of committee of railroad commissioners, on taxation of railroads and railroad securities, made under date of December 1, 1879, with the accompanying abstract of laws of different states and nations on the subject of railroad taxation, in

obedience to Res. No. 16, S., and respectfully request that the same be printed.

Very respectfully,

A. J. TURNER,  
*Railroad Commissioner.*

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### LETTERS, PETITIONS, ETC.

By Senator Paul:

Pet. No. 7, S.,

Of the board of public works of the city of Milwaukee for the annexation of Bay View.

To the Milwaukee Delegation.

By Senator Kellogg:

Pet. No. 8, S.,

Of Simeon Mills for relief.

*To the honorable, the senate and assembly of the state of Wisconsin:*

The undersigned, late treasurer of the Wisconsin State Hospital for the Insane, respectfully represents that, as such treasurer, there was paid to him by the late state treasurer a check upon the Bank of Madison for the sum of \$10,000, as part of the appropriation made to said hospital for the year 1873. Soon after said check cashed, the bank went into bankruptcy, and suit was brought by the assignee of said bank against the undersigned, as well as against many other persons, in the district court of the United States for the western district of Wisconsin, to recover moneys paid out of said bank during some of the last days that it transacted business.

Upon the trial of the case, the undersigned set up in defense that the money obtained upon said check was the money of the state, and that under the bankrupt law, the state being a preferred creditor, the payment of the check was lawfully and properly made. His honor, Judge Hopkins, however, decided that the money deposited in the Bank of Madison by the state treasurer, ceased to be the money of the state when so deposited, but was the private funds of Henry Baetz, the maker of the check, and said "that if the check had been paid to Mr. Baetz himself, the payment would have been void under the bankrupt act," and rendered judgment against the undersigned for a return of the money collected on said check, which judgment the undersigned paid in full, leaving a deficit to the hospital on account of the appropriation for 1873 of \$10,000, which deficit was made good to the hospital by a subsequent appropriation in 1876.

But inasmuch as the undersigned stands detected with the amount of said check as treasurer of the hospital, he would most respectfully ask that his account be credited with a sum that shall balance the same. The undersigned begs leave to call the atten-

tion of the legislature to the fact that a somewhat similar case occurred with the warden of the state prison, with this difference, that the warden himself deposited the money in the bank, and in this case the undersigned drew the money out of the bank where it had been deposited by the state treasurer.

The undersigned, therefore, most respectfully asks that this communication be referred to the Judiciary committee, and that such measures of relief as the nature and hardship of the case, growing out of conflicting opinions of the federal and state courts, and the precedent set in the parallel case of H. N. Smith, shall seem to indicate as reasonable and proper to be granted herein.

Respectfully submitted,

SIMEON MILLS.

To the Judiciary committee.

By Senator Fifield:

Pet. No. 9, S.,

Of A. Beyl, S. E. Swesey, C. E. Mears and forty other citizens of Polk county asking for repeal of the dog law.

To committee on Judiciary.

By Senator Fifield:

Pet. No. 10, S.,

Of D. J. Barry, S. E. Swesey and ninety other citizens of Polk county asking for the repeal of the dog law.

To committee on Judiciary.

By Senator McGrew:

No. 11, S.,

Of the county board of Richland county, for biennial sessions and cheaper railroad transportation.

To committee on State Affairs.

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## BILLS INTRODUCED.

Read first and second times and referred.

By Senator Kellogg:

No. 43, S.,

A bill to authorize the superintendent of public property to furnish stationery and postage stamps to the employes of senate and assembly, and to make an appropriation therefor.

To committee on Legislative Expenditures.

By Senator Ryland:

No. 44, S.,

A bill relating to the acquisition of land by eminent domain.

To committee on Judiciary.

By Senator Fifield:

No. 45, S.,

A bill to amend section 4560 of the revised statutes of 1878, entitled of fish and game.

To committee on Agriculture.

By Senator Hyde:

No. 46, S.,

A bill relating to the payment of fees upon settlement of estates of deceased persons in the county of Milwaukee, and amendatory of section 2483 of the revised statutes of 1878.

To committee on Judiciary.

By Senator Weaver:

No. 47, S.,

A bill to amend chapter 13, revised statutes 1878, relating to appointments of notary publics, and prescribing their duties.

To committee on Judiciary.

By Senator Sutherland:

No. 48, S.,

A bill to amend section 4415, revised statutes 1878, relating to punishment for larceny.

To committee on Judiciary.

By Senator Paul:

No. 49, S.,

A bill to add certain territory to the city of Milwaukee, and to erect a new ward in said city.

To Milwaukee County Delegation.

By Senator Paul:

No. 50, S.,

A bill to provide a salary for justices of the peace in incorporated cities of a population of sixty thousand or upwards.

To committee on Judiciary.

By Senator Sacket:

No. 51, S.,

A bill to authorize the commissioners of school and university lands to loan a portion of the trust funds to the city of Berlin.

To committee on State Affairs.

By Senator Fifield:

No. 52, S.,

A bill for the protection of brook trout in the state of Wisconsin.

To committee on State Affairs.

By Senator Fifield:

No. 53, S.,

A bill fixing the time when wild deer may be taken in the counties of Ashland, Bayfield and Douglas.

To committee on State Affairs.

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## REPORTS OF COMMITTEES.

The committee on State Affairs, to whom was referred

No. 19, S.,

A bill to protect surgeons, physicians, dentists and patients from the morbid condition of the nervous system sometimes produced by the administration of anæsthetics.

No. 1, S.,

A bill to regulate the practice of dentistry in the state of Wisconsin,

Have had the same under consideration, and respectfully report them back to the senate with the recommendation that they be re-committed to the committee on Judiciary.

GEO. B. BURROWS,  
*Chairman.*

So ordered.

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## EXECUTIVE COMMUNICATION.

STATE OF WISCONSIN,  
*Executive Department.*

MADISON, *January 26, 1880.*

*To the Honorable the Legislature:*

In conformity to the requirements of the constitution, I herewith submit to you a list embracing each case of commutation or pardon granted by me during the year 1879:

The number of persons released from confinement by pardon was as follows:

From state prison,	-	-	-	-	-	-	10
From house of correction of Milwaukee county,	-	-	-	-	-	-	9
From county jails,	-	-	-	-	-	-	10

In addition to the foregoing, and at the expiration of their respective terms of sentence, fifty-eight convicts have had the rights of citizenship restored to them, by pardon issued for the purpose, but in no case did such pardon serve to shorten the period of confinement.

WILLIAM E. SMITH.

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## LIST OF PARDONS

Granted by the governor of Wisconsin during the year 1879, with statement of reasons for granting the same, transmitted to the legislature in obedience to the requirements of section 6 of article V of the constitution.

### FROM STATE PRISON.

William Stolcup — Convicted before the circuit court for Green county on the 2d day of October, 1877, of the crime of larceny, and sentenced to imprisonment in state prison for a term of two years. Pardon granted January 9, 1879, upon the ground that, although the prisoner pleaded guilty, there is grave reason to doubt whether in fact he was guilty of the crime charged. The prisoner is represented to have been a hard-working, simple-minded man, of previ-

ous good character. Pardon recommended by the circuit judge, district attorney, and other officers and citizens.

George Shaw — Convicted before the circuit court of Rock county on the 15th day of December, 1876, of the crime of larceny, and sentenced to imprisonment in state prison for a term of five years. Pardon granted February 19, 1879, because grave doubts exist as to the prisoner's guilt, and if guilty at all, it was far from being an aggravated case; and the imprisonment already endured is deemed adequate for the offense. Pardon recommended by the circuit judge, district attorney, and numerous citizens of Rock county.

W. A. Haywood — Convicted before the circuit court of Rock county on the 16th day of December, 1876, of the crime of forgery, and sentenced to imprisonment in the state prison for a term of three years. Pardon granted April 8, 1879, for the reason that facts have come to light since the prisoner's conviction tending to mitigate the character of his crime. Pardon recommended by circuit judge, district attorney and many citizens of Rock county.

William Bohannon — Convicted before the circuit court of Kenosha county on the 21st day of November, 1876, of the crime of manslaughter in the third degree, and sentenced to imprisonment in the state prison for a term of four years. Pardon granted April 8, 1879, for the reason that grave doubts exist as to whether the prisoner should have been convicted. Pardon recommended by circuit judge, district attorney, jurors, and a large number of prominent citizens.

John D. Norton — Convicted before the circuit court of Rock county on the 22d day of November, 1877, of the crime of having in his possession and passing counterfeit money, and sentenced to imprisonment in the state prison, in the aggregate, for a term of four years. Pardon granted May 19, 1879, for the reason that the convictions in this case were for essentially one offense, and having served the longest term imposed, it is believed that the ends of punishment have been fully subserved. Pardon recommended by circuit judge, district attorney and others.

Enoch Eastman — Convicted before the circuit court for Columbia county on the first day of June, 1878, of the crime of forgery, and sentenced to imprisonment in state prison for a term of two years. Pardon granted July 26, 1879, for the reason that the prisoner and a co-defendant each pleaded guilty to the same charge, and upon representations made at the time, were sentenced, the former to two years in state prison and the latter to one year in county jail. Further investigation has convinced the circuit judge and district attorney that there was in fact no good reason for the discrimination, and they therefore join with numerous citizens in recommending pardon.

John Gilligan — Convicted before the circuit court of Chippewa county on the 19th day of December, 1877, of the crime of assault with intent to kill, and sentenced to imprisonment in state prison for a term of five years. Pardon granted November 19, 1879, because the prisoner's health is so seriously impaired that the prison

physician certifies that release from confinement is necessary in order to preserve his life.

Franklin Lee — Convicted before the county court for Marquette county on the 10th day of October, 1878, of the crime of polygamy, and sentenced to imprisonment in the state prison for a term of two years. Pardon granted December 4, 1879, for the reason that the offense was committed under a misapprehension of the law, without criminal intent, and that, since sentence was pronounced, the minimum term of imprisonment has been reduced to one year. Pardon recommended by judge, district attorney, and others.

Thomas Dorsey and John Sullivan — Convicted before the circuit court of Rock county on the 27th day of November, 1877, of burglary upon three separate informations, and sentenced to imprisonment in state prison, in the aggregate, for a term of six years. Conditional pardon granted December 30, 1879, for the reason that the prisoners are young men, one nineteen and the other twenty-two years of age; they were convicted, on their plea of guilty, of three several burglaries, committed in one night, under the influence and excitement of intoxication, not apparently for gain, and were sentenced to three terms of two years each. The imprisonment already suffered is believed to be fully equal to the average term imposed in similar cases. Pardon recommended by the sheriff of Rock county, mayor of Janesville and many prominent citizens. Pardon granted upon the condition that they abstain from the use of intoxicating liquors as a beverage.

FROM HOUSE OF CORRECTION OF MILWAUKEE COUNTY.

George Memhard — Convicted before the municipal court of Milwaukee county on the 19th day of July, 1878, of the crime of larceny, and sentenced to imprisonment in the house of correction for a term of one year and three months. Pardon granted February 11, 1879, because of the youth represented of the prisoner, the crime of which he was convicted his first offense, and the mitigating circumstances connected with its commission. Pardon recommended by the late and present district attorneys of Milwaukee county, and a large number of the most influential and prominent citizens of Dane county, where the prisoner has formerly lived.

Allison Borrow — Convicted before the municipal court of Milwaukee county on the 10th day of July, 1877, of the crime of burglary and larceny, and sentenced to imprisonment in the house of correction for a term of two years and six months. Pardon granted April 21, 1879, for the reason that the prisoner is reported to be very sick with consumption, with no hope of living but a very short time if kept in confinement — particularly as there are no hospital or other suitable accommodations for such cases at the house of correction.

Martin Tuohey — Convicted before the municipal court of Milwaukee county on the 9th day of April, 1878, of the crime of burglary, and sentenced to imprisonment in the house of correction for a term of two years. Pardon granted May 19, 1879, for the

reason that the offense of which the prisoner on his plea of guilty was convicted, was only technically burglary, and the imprisonment already suffered seems adequate punishment for the actual crime committed. Pardon recommended by municipal judge, district attorney and others.

George H. Cooper — Convicted before the municipal court of Milwaukee county on the 25th day of September, 1878, of the crime of receiving stolen goods, and sentenced to imprisonment in the house of correction for a term of eighteen months. Pardoned May 27, 1879, for the reason that the prisoner, after conviction upon his plea of guilty, voluntarily gave evidence which secured the conviction of the principal in the crime. Pardon strongly urged by the district attorney and recommended by the municipal judge.

Daniel J. McCarthy — Convicted before the municipal court of Milwaukee county on the 17th day of October, 1878, of the crime of forgery, and sentenced to imprisonment in the house of correction for a term of one year. Pardon granted June 23, 1879, because it appears that the prisoner at the time of the commission of the offense was, and for several days prior thereto, had been so crazed and stupefied with drink, as scarcely to be accountable for his acts. In this condition he came from his home in Michigan, where he had been up to that time a lawyer in good standing and practice, to Milwaukee. At his trial, on the first ballot, ten of the jurors voted for acquittal. The two who were for conviction and seven others of the jury now unite in a petition for his pardon. Pardon consented to by the municipal judge, and recommended by the district attorney, sheriff, and several leading citizens of Milwaukee.

Fred Engel — Convicted before a justice court of Milwaukee county on the 9th day of June, 1879, of the crime of assault and battery, and sentenced to imprisonment in the house of correction for a term of sixty days. Pardoned July 25, 1879, for the reason that the prisoner was convicted upon his plea of guilty, entered probably without knowledge of the actual charge contained in the complaint, subsequent developments seeming to make it reasonably certain that he was not guilty. Pardon recommended by the justice, district attorney, and several citizens.

Albert Kuhn — Convicted before the municipal court of Milwaukee county on the 6th day of February, 1879, of the crime of false pretenses, and sentenced to imprisonment in the house of correction for a term of six months. Pardon granted July 25, 1879, for the reason that it is represented the prisoner, a young man under age, having served nearly the full term for which he was sentenced, will accept pardon as an earnest that he is not without friends, and will thereby be encouraged in his efforts to reform.

Joseph Kaslakowitz — Convicted before the municipal court of Milwaukee county on the 11th day of June, 1879, of the crime of burglary, and sentenced to imprisonment in the house of correction for a term of one year and six months. Pardon granted November 8, 1879, because the prisoner, who is but seventeen years of age, was only an accomplice in the crime, pleaded guilty, and gave evidence which secured the conviction of his more guilty associate.

James Powers — Convicted before the municipal court of Milwaukee county on the 17th day of October, 1874, of the crime of manslaughter in the first degree, and sentenced to imprisonment in the house of correction for a term of seven years. Pardon granted November 24, 1879, for the reason that the prison physician certifies that Powers is suffering from hypertrophy of the heart and diseased lungs, and that his life will be endangered by further confinement.

FROM COUNTY JAILS.

Henry Showers — Convicted before the municipal court of Dane county on the 19th day of December, 1878, of the crime of larceny, and sentenced to pay a fine of \$25 and costs, and in default of payment to be committed to the county jail for a term of sixty days. Pardon granted January 15, 1879, for the reason that the offense was trifling, and it is represented that the prisoner is unable to pay the fine. Pardon recommended by the municipal judge and the police officers in Madison.

August Gregorious — Convicted before the circuit court for Monroe county, in the month of October, 1878, of the crime of assault and battery, and sentenced to pay a fine of \$25 and costs, and in default of payment to be committed to the county jail until the fine be paid. Pardon granted the 21st day of April, 1879, because the prisoner is a boy only twelve years of age, whose parents are unable to pay his fine. The repeal of the law authorizing justices of the peace to release prisoners in such cases, leaves a release by pardon the only remedy.

Austin Wang — Convicted before the municipal court of Dane county, on the 29th day of April, 1879, of the crime of embezzlement, and sentenced to imprisonment in the county jail for a term of six months. Pardon granted May 13, 1879, for the reason that the offense was technical and without any intent to defraud, and the prisoner's previous good character clearly established.

Erastus Beauchamp — Convicted before the circuit court for Brown county on the 12th day of April, 1879, of the crime of larceny, and sentenced to imprisonment in the county jail for a term of six months. Pardon granted May 17, 1879, for the reason that it is represented that the prisoner is a young man of previous good character, who was enticed into the crime by others.

William Shackley — Convicted before a justice court of Columbia county on the 13th day of March, 1879, of the crime of aiming a pistol at or toward another not in self-defense, and sentenced to imprisonment in the county jail of said county for the term of ninety days. Pardon granted May 19, 1879, for the reason that the prisoner is a boy only sixteen years of age and his offense more thoughtless than willful.

Louis S. Fershay — Convicted before the municipal court of Dane county on the 24th day of March, 1879, of the crime of larceny, and sentenced to imprisonment in the county jail for a term of six months. Conditional pardon granted May 31, 1879, for the reason that it is represented the prisoner has heretofore borne a good reputation, and the offense of which he was convicted and its attend-

ing circumstances do not show a depraved or criminal habit. Pardon recommended by municipal judge, district attorney, sheriff and others. Pardon granted upon the condition that he abstain from the use of all strong, spirituous, ardent or intoxicating liquors or drinks.

Myron H. Lyon — Convicted before the circuit court of Juneau county on the 12th day of March, 1879, of the crime of larceny, and sentenced to imprisonment in the county jail for a term of six months. Pardon granted July 12, 1879, because it is believed a remission of the unexpired portion of his term of imprisonment will tend to encourage the prisoner in a promised reformation in character and habits.

John Mapes — Convicted before a justice court of Grant county on the 5th day of June, 1879, of the crime of embezzlement, and sentenced to imprisonment in the county jail for a term of four months. Pardon granted August 2, 1879, for the reason that the offense was comparatively trivial, and it is believed further imprisonment in jail will not conduce to reformation.

Irvin W. Pulis — Convicted before a justice court of Iowa county on the 21st day of July, 1879, of the crime of larceny, and sentenced to imprisonment in the county jail for a term of sixty days. Pardon granted August 16, 1879, for the reason that it is believed the prisoner was insane at the time of committing the offense, and to enable him to be transferred to an insane hospital for treatment.

Ike Bonnell — Convicted before the circuit court of Jefferson county on the 12th day of February, 1879, of the crime of larceny, and sentenced to imprisonment in the county jail for a term of eight months. Pardon granted September 15, 1879, because the prisoner's conduct during confinement is represented to have been most exemplary, and the evidence of a thorough reform unusually conclusive. Such conduct in state prison, had the prisoner been sent there for the same term, would have secured his release before the date of this pardon.

#### TO RESTORE TO RIGHTS OF CITIZENSHIP.

John Leach — Convicted before the circuit court of Richland county, April 20, 1877, of manslaughter in the fourth degree, and sentenced to imprisonment in the state prison for a term of two years. Pardon granted January 8.

John Hooks — Convicted before the county court of Grant county, March 8, 1878, of burglary, and sentenced to imprisonment in state prison for a term of one year. Pardon granted January 14.

Elias Sairs — Convicted before the circuit court of Brown county, March 9, 1878, of larceny, and sentenced to imprisonment in state prison for a term of one year. Pardon granted February 1.

Frank H. Anderson — Convicted before the circuit court of La Crosse county, May 14, 1877, of larceny, and sentenced to imprisonment in state prison for a term of two years. Pardon granted February 4.

Michael Woehr — Convicted before the circuit court of Juneau.

county, October 15, 1874, of arson, and sentenced to imprisonment for a term of five years. Pardon granted February 10.

Henry Beushausen — Convicted before the circuit court of Sauk county, April 5, 1878, of assault with intent to kill, and sentenced to imprisonment in state prison for a term of one year. Pardon granted February 10.

Fred. Carnes — Convicted before the circuit court of Jefferson county, September 27, 1877, of burglary, and sentenced to imprisonment in state prison for a term of nineteen and one-half months. Pardon granted February 21.

George C. Crehore — Convicted before the circuit court of Green Lake county, June 7, 1877, of burglary and larceny, and sentenced to imprisonment in state prison for a term of two years. Pardon granted February 21.

John Sibely — Convicted before the circuit court of Trempealeau county, June 13, 1877, of assault with intent to kill, and sentenced to imprisonment in state prison for a term of two years. Pardon granted March 5.

Albert Clark — Convicted before the circuit court of Eau Claire county, April 11, 1878, of burglary, and sentenced to imprisonment in state prison for a term of one year. Pardon granted March 12.

Patrick Ryan — Convicted before the circuit court of Crawford county, June 4, 1877, of horse stealing, and sentenced to imprisonment in state prison for a term of two years. Pardon granted March 25.

Nathan McNair — Convicted before the circuit court of Chippewa county, December 7, 1877, of assault with intent to kill, and sentenced to imprisonment in state prison for a term of eighteen months. Pardon granted March 25.

John Collins — Convicted before the circuit court of Walworth county, May 14, 1878, of larceny, and sentenced to imprisonment in state prison for a term of one year. Pardon granted March 25.

Leslie Bowers, Silas Ward and Douglas Carroll — Convicted before the county court of Sheboygan county, May 16, 1878, of burglary and larceny, and sentenced to imprisonment in state prison for a term of one year. Pardon granted March 31.

Frank Byles — Convicted before the circuit court of Dunn county, March 14, 1876, of larceny, and sentenced to imprisonment in state prison for a term of three years and six months. Pardon granted March 31.

Patrick Kinney — Convicted before the circuit court of Manitowoc county, March 28, 1873, of manslaughter in the first degree, and sentenced to imprisonment in state prison for a term of seven years. Pardon granted March 31.

Charles E. Williams — Convicted before the municipal court of Dane county, May 31, 1878, of forgery, and sentenced to imprisonment in state prison for a term of one year. Pardon granted April 7.

Norris D. Hall — Convicted before the circuit court of Fond du Lac county, August 9, 1877, of horse stealing, and sentenced to

imprisonment in state prison for a term of two years. Pardon granted May 5.

Ephraim N. Green — Convicted before the county court of Dunn county, February 26, 1877, of forgery, and sentenced to imprisonment in state prison for a term of two years and six months. Pardon granted May 5.

John Roth — Convicted before the circuit court of Manitowoc county, June 19, 1878, of assault with intent to kill, and sentenced to imprisonment in state prison for a term of one year. Pardon granted May 5.

Arthur Bierman — Convicted before the circuit court of Rock county, April 26, 1875, of larceny of a horse, and sentenced to imprisonment in state prison for a term of three years. Pardon granted May 14.

Henry Sink — Convicted before the county court of Dodge county, September 3, 1877, of larceny, and sentenced to imprisonment in the state prison for a term of two years. Pardon granted May 22.

Albert Ross — Convicted before the county court of Jefferson county, July 9, 1878, of burglary, and sentenced to imprisonment in state prison for a term of one year. Pardon granted May 28.

Charles Stevens — Convicted before the circuit court of Taylor county, September 7, 1877, of burglary, and sentenced to imprisonment in state prison for a term of two years. Pardon granted May 28.

Robert Lohda — Convicted before the circuit court for Walworth county, September 17, 1877, of obstructing railroad track, and sentenced to imprisonment in state prison for a term of two years. Pardon granted June 12.

Edward Smith — Convicted before the circuit court of Grant county, September 26, 1877, of horse stealing, and sentenced to imprisonment in state prison for a term of two years. Pardon granted June 12.

Edward Stuckey — Convicted before the county court of Green county, December 29, 1876, of forgery, and sentenced to imprisonment in state prison for a term of two years. Pardon granted June 14.

Dennis Dunahue — Convicted before the municipal court of Dane county, March 4, 1878, of larceny, and sentenced to imprisonment in state prison for a term of eighteen months. Pardon granted June 17.

Patrick Judge — Convicted before the circuit court of Rock county, October 4, 1877, of larceny, and sentenced to imprisonment in state prison for a term of two years. Pardon granted July 3.

Frank Parker — Convicted before the circuit court of Iowa county, October 19, 1877, of larceny, and sentenced to imprisonment in state prison for a term of two years. Pardon granted July 3.

George Moeller — Convicted before the circuit court of Calumet county, December 23, 1876, of assault with intent to kill, and sentenced to imprisonment in state prison for a term of three years. Pardon granted July 29.

Sylvester Kane — Convicted before the circuit court of Kenosha county, November 28, 1877, of horse stealing, and sentenced to imprisonment in state prison for a term of two years. Pardon granted August 15.

Frank Jacobs — Convicted before the circuit court of Pierce county, November 28, 1877, of horse stealing, and sentenced to imprisonment in state prison for a term of two years. Pardon granted August 15.

Daniel Clark, Jr. — Convicted before the circuit court of La Crosse county, November 13, 1877, of assault with intent to commit rape, and sentenced to imprisonment in state prison for a term of two years. Pardon granted August 18.

Edwin J. Potter — Convicted before the county court of Dodge county, October 7, 1878, of uttering and passing forged order for money, and sentenced to imprisonment in state prison for a term of one year. Pardon granted August 18.

Nathan T. Canfield — Convicted before the circuit court of Crawford county, November 24, 1877, of larceny, and sentenced to imprisonment in state prison for a term of two years. Pardon granted August 22.

Charles H. Tuttle — Convicted before the municipal court of Dane county, October 7, 1878, of burglary, and sentenced to imprisonment in state prison for a term of one year. Pardon granted August 22.

William Keison — Convicted before the circuit court of Pierce county, October 5, 1878, of burglary, and sentenced to imprisonment in state prison for a term of one year. Pardon granted August 22.

Frank Richards — Convicted before the circuit court of Shawano county, June 26, 1874, of incest, and sentenced to imprisonment in state prison for a term of six years. Pardon granted August 26.

John Klink — Convicted before the circuit court of St. Croix county, November 17, 1877, of horse stealing, and sentenced to imprisonment in state prison for a term of two years. Pardon granted August 30.

Tracy Thompson — Convicted before the circuit court of Juneau county, October 18, 1878, of larceny, and sentenced to imprisonment in state prison for a term of one year. Pardon granted September 2.

Samuel Brayton — Convicted before the municipal court of Dane county, February 6, 1877, of burglary and larceny, and sentenced to imprisonment in state prison for a term of three years. Pardon granted September 8.

William B. Dawe — Convicted before the circuit court of Iowa county, April 8, 1876, of assault with intent to kill, and sentenced to imprisonment in state prison for a term of four years. Pardon granted September 24.

Alonzo Welsh — Convicted before the county court of Grant county, November 19, 1878, of grand larceny, and sentenced to imprisonment in state prison for a term of one year. Pardon granted October 7.

Lewis O. Tuphorn — Convicted before the county court of Monroe county, November 25, 1878, of burglary, and sentenced to imprisonment in state prison for a term of one year. Pardon granted October 8.

Clark Van Gorder — Convicted before the county court of Monroe county, November 25, 1878, of larceny, and sentenced to imprisonment in state prison for a term of one year. Pardon granted October 8.

Frank Carter — Convicted before the circuit court of Racine county, November 25, 1878, of burglary and larceny, and sentenced to imprisonment in state prison for a term of one year. Pardon granted October 10.

William M. Greenwood — Convicted before the circuit court of Fond du Lac county, February 21, 1862, of forgery, and sentenced to imprisonment in the county jail of Winnebago county for a term of one year. Pardon granted October 15, 1879.

William Webster — Convicted before the county court of Adams county, December 31, 1877, of larceny of a cow, and sentenced to imprisonment in the state prison for a term of one year. Pardon granted October 15.

Morris Cotter — Convicted before the circuit court of Waukesha county, December 10, 1878, of larceny, and sentenced to imprisonment in state prison for a term of one year. Pardon granted October 24.

Ernst F. Herzberg — Convicted before the municipal court of Milwaukee county, July 9, 1875, of assault with intent to kill, and sentenced to imprisonment in state prison for a term of five years. Pardon granted October 24.

George W. Dayton — Convicted before the county court of La Crosse county, December 13, 1878, of polygamy, and sentenced to imprisonment in state prison for a term of one year. Pardon granted October 29.

Stephen Canniff — Convicted before the circuit court of Rock county, December 27, 1878, of forgery, and sentenced to imprisonment in state prison for a term of one year. Pardon granted November 3.

Edward Hart — Convicted before the county court of Columbia county, February 11, 1878, of forgery, and sentenced to imprisonment in state prison for a term of one year and six months. Pardon granted December 6.

Cyrus Welsh — Convicted before the circuit court of Brown county, March 23, 1878, of larceny, and sentenced to imprisonment in state prison for a term of two years. Pardon granted December 6.

Rice Clifford — Convicted before the circuit court of Brown county, June 17, 1876, of arson, and sentenced to imprisonment in state prison for a term of four years. Pardon granted December 31.

NOTE — Pardons to restore rights of citizenship in no case shorten the term of imprisonment or take effect before the expiration of sentence.

## COMMUNICATION.

MILWAUKEE, WIS., *January 23, 1880.*

*To the honorable legislature of Wisconsin:*

We, the undersigned, take pleasure in recommending to your consideration a bill to annex to the city of Milwaukee the territory which embraces the village of Bay View.

We believe there are matters of public policy existing between the places named, the development and completion of which are of common benefit to both, which would be greatly facilitated by such uniting of places and interests.

The proper construction of sewers in the southeastern portion of the twelfth ward of this city, which of necessity must drain into Deer creek, and the construction of public thoroughfares connecting and of much importance to both places, would be much facilitated by such an act.

We also believe that a large majority of the people in interest are in favor of such an act.

Hoping it may be favorably considered by you, and by your influence become a law, we have the honor to be yours, etc.

F. S. BLODGETT,  
W. T. CASGRAIN,  
H. J. HILBERT,  
GEO. A. ABERT.

*Commissioners of Public Works.*

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MESSAGE FROM THE ASSEMBLY.

By J. E. ELDRED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has concurred with the senate in

Jt. Res. No. 5, S.,

Relating to introduction of new business after 5th February next,

And has amended, and concurred in as amended,

No. 2, S.,

To authorize the commissioners of public lands to loan a portion of the trust funds of the state to the county of Vernon.

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ASSEMBLY MESSAGE CONSIDERED.

The amendments to

No. 2, S.,

Were concurred in.

## BILLS ON THEIR ENGROSSMENT AND THIRD READING.

No. 3, S,

A bill to amend chapter 167, general laws 1879, entitled an act to amend sections 3329 and 3330 of the revised statutes of 1878, entitled of liens,

Was ordered engrossed and read a third time.

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On motion of Senator Sutherland,  
The senate adjourned.

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WEDNESDAY, JANUARY 28, 1880.

10 o'CLOCK A. M.

The senate met.

The president in the chair.

Prayer by the Rev. Mr. Maltby.

The roll was called, and the following senators answered to their names:

Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, McFetridge, McGrew, Morgan, Paul, Quarles, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Sutherland, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman.

The journal of yesterday was approved.

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## LETTERS, PETITIONS, Etc.

By Senator Richardson:

Pet. No. 12, S.,

Of Wain Withum and 109 others asking the passage of a law taxing church property.

To committee on Charitable and Penal Institutions.

By Senator Fifield:

Pet. No. 13, S.,

Of Asahel Kimball, Wm. M. Branding, Robert Downend, S. B. Dresser and 70 other citizens of Polk county, asking that a charter be granted Deidrich Van Hollen to keep a ferry across the St. Croix river between Wisconsin and Minnesota.

To committee on State Affairs.

By Senator Fifield:

Pet. No. 14, S.,

Of Samuel Harriman, J. A. Gordon, and fifty other citizens of St. Croix and Polk counties, asking that a charter be granted to Deidrich Van Hollen to keep and maintain a ferry across the St. Croix river between Wisconsin and Minnesota.

To committee on State Affairs.

By Senator McGrew:

Pet. No. 15, S.,

Of Isaac McCann and 147 other citizens of Richland county, for the repeal of the dog law.

To committee on Judiciary.

By Senator Blackstone:

Pet. No. 16, S.,

Of William Hogan and others, for amendment of dog law.

To committee on Judiciary.

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### RESOLUTIONS INTRODUCED.

By Senator Houghton:

Res. No. 17, S.,

*Resolved*, That the superintendent of public property be and he is hereby instructed to furnish to the chairman of the Judiciary committee of the senate, for the use of said committee, one copy of the revised statutes of 1878 and one copy each of the session laws and journals of the senate and assembly of 1879.

Adopted.

By Senator Sutherland:

Res. No. 18, S.,

The following preamble and resolution having been adopted by the Wisconsin Dairymen's Association, at its annual meeting held at Elkhorn, Wisconsin, January 14 and 15, 1880, to wit:

WHEREAS, There is a difference in the classification of butter and cheese on Wisconsin railroads as compared with the roads running east of Chicago, to wit: By the classification of Wisconsin roads, butter in tubs is rated first class, and in jars as double first class. On the eastern roads it is third class and no mention made as to style of package; and

WHEREAS, On cheese the classification on Wisconsin roads is second class on lots under fifty boxes, third class on larger lots, and fourth class on car load lots; and,

WHEREAS, On eastern roads it is twenty cents less per hundred pounds than third class on all lots not in refrigerator cars and ten cents less than third class when in refrigerator cars, therefore,

*Resolved*, That the legislature now in session, and the railroad commissioner of the state, are hereby respectfully requested to examine into the facts as above set forth, and ascertain the cause of a want of uniformity in the classification of rates of freight upon

dairy products upon railways east of Chicago and those running through Wisconsin.

*Resolved*, by the senate of the state of Wisconsin, That the above matter of complaint be and the same is hereby referred to the Railroad committee of the senate, with instruction to investigate the same, and report, by bill or otherwise, such action as is proper to be taken in the premises.

Lies over.

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### BILLS INTRODUCED.

Read first and second times and referred.

By Senator Hyde:

No. 54, S.,

A bill to authorize county judges to draw papers in certain cases.

To Milwaukee Delegation.

By Senator Thomas:

No. 55, S.,

A bill to amend the articles of association of the Chicago, Milwaukee & St. Paul Railway Company.

To committee on Judiciary.

By Senator Woodman:

No. 56, S.,

A bill for the preservation of fish in Dell creek.

To committee on State Affairs.

By Senator Quarles:

No. 57, S.,

A bill to protect certain game birds within the state.

To committee on State Affairs.

By Senator Paul:

No. 58, S.,

A bill relative to assessments for water pipes in the city of Milwaukee, and amendatory of sections 15, 16 and 17, of chapter 10 of chapter 184 of the laws of 1874.

To Milwaukee Delegation.

By Senator Richardson:

No. 59, S.,

A bill to appropriate to the Institution for the Education of the Blind a sum of money therein named.

To committee on Charitable and Penal Institutions.

By Senator Bennett:

No. 60, S.,

A bill to provide for the inspection of illuminating oils manufactured from petroleum or coal oils, and to regulate the sale thereof, and to repeal section 4359 of chapter 181, revised statutes of 1878.

To committee on Manufactures and Commerce.

By Senator Richardson:

No. 61, S.,

A bill to appropriate to the Institution for the Education of the Deaf and Dumb a sum of money therein named.

To committee on Charitable and Penal Institutions.

By Senator Houghton:

No. 62, S.,

A bill to amend section 111 *a* of the revised statutes of 1878, entitled of the legislature.

To committee on Judiciary.

By Senator Houghton:

No. 63, S.,

A bill relating to writs of mandamus and prohibition, and amendatory of section 3452 of the revised statutes of 1878.

To committee on Judiciary.

By Senator Scott:

No. 64, S.,

A bill relating to illegal taxes, and amendatory of chapter 50 of the revised statutes.

To committee on Judiciary.

By Senator Griffin:

No. 65, S.,

A bill relating to the municipal court of the city of Eau Claire, and amendatory of section 10 of chapter 183 of the laws of Wisconsin for 1874, as amended by section 1 of chapter 329 of the laws of Wisconsin for 1878.

To committee on Judiciary.

By Senator Fifield:

No. 66, S.,

A bill to extend the time limited in chapter 281, private and local laws of 1870, entitled an act to authorize Deidrich Van Hollen to keep and maintain a ferry across the St. Croix river.

To committee on State Affairs.

By Senator Hyde:

No. 67, S.,

A bill to provide for the appointment of register of probate of the county court of Milwaukee county and for other purposes.

To Milwaukee Delegation.

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## REPORTS OF COMMITTEES.

The committee on Engrossed Bills have examined and find correctly engrossed

No. 9, S.,

A bill to authorize Thomas W. Gay, James A. Robb and Samuel H. Robb, their associates and assigns, to construct and maintain a dam across the Kickapoo river on land owned by them.

GEO. W. RYLAND,

*Chairman.*

The committee on Judiciary, to whom was referred

No. 1, S.,

A bill to regulate the practice of dentistry in the state of Wisconsin,

No. 25, S.,

A bill to amend chapter 284 of the private and local laws of 1866, entitled an act to incorporate the Eau Claire Lumber Company,

Have had the same under consideration, and instruct me to report the same back with the recommendation that they do pass.

Senator Houghton dissenting as to No. 1, S.

No. 34, S.,

A bill relating to bonds of counties, cities, villages or towns, and amendatory of section 960 c, chapter 41, revised statutes of 1878,

Have had the same under consideration, and instruct me to report the same back with amendment and recommend its passage when so amended.

No. 35, S.,

A bill to amend section 3572 of chapter 154, revised statutes of 1878, entitled of general provisions and of the jurisdiction of justices in civil actions,

Have had the same under consideration, and instruct me to report the same back with the recommendation that it be indefinitely postponed.

No. 17, S.,

A bill to amend section 2455 of chapter 114 of the revised statutes of 1878, entitled of county courts,

Have had the same under consideration, and report the same back and recommend that it be recommitted to the Milwaukee Delegation.

So ordered as to No. 17, S.

H. E. HOUGHTON,  
*Chairman.*

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### MESSAGE FROM THE ASSEMBLY.

By J. E. ELDRÉD, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has passed, and asks the concurrence of the senate in the passage of,

No. 32, A.,

A bill to provide for the assessment of property and the collection of taxes in certain cases.

No. 9, A.,

A bill to authorize the commissioners of the public lands to loan a portion of the trust funds of the state to the city of Wausau, in Marathon county.

No. 10, A.,

A bill to amend sections 1 and 2 of chapter 108 of the laws of 1879, entitled an act to provide for the laying out of a state road

from Lincoln, Kewaunee county, to intersect the Green Bay and Sturgeon Bay state road in the town of Green Bay, Brown county.

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### ASSEMBLY MESSAGE CONSIDERED.

No. 9, A.,

Was referred to committee on Judiciary.

No. 10, A.,

Was referred to the committee on Roads and Bridges.

On motion of Senator Quarles,

The rules were suspended, and

No. 32, A.,

Was read a third time and concurred in.

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### BILLS ON THEIR ENGROSSMENT AND THIRD READING.

The amendments to

No. 15, S.,

A bill to authorize James McCrossen and others to build a dam across and otherwise improve Spirit river, in Lincoln county, Wisconsin,

Were adopted, and the bill was ordered engrossed and read a third time.

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On motion of Senator Burrows,

The senate took a recess until 10:45 A. M.

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10:45 A. M.

The senate called to order by the president.

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### REPORTS OF COMMITTEES.

The committee on State Affairs, to whom was referred

No. 51, S.,

A bill to authorize the commissioners of school and university lands to loan a portion of the trust funds to the city of Berlin,

Have had the same under consideration, and respectfully report it back with an amendment, and recommend its passage when so amended.

GEO. B. BURROWS,  
*Chairman.*

On motion of Senator Sacket,

The rules were suspended, the amendments reported by the committee to No. 51, S., were adopted, and the bill was read a third time and passed.

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On motion of Senator Dering,  
The senate adjourned.

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THURSDAY, JANUARY 29, 1880.

10 o'CLOCK A. M.

The senate met.

The president in the chair.

Prayer by the Rev. Mr. Maltby.

The roll was called, and the following senators answered to their names:

Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, McFetridge, McGrew, Paul, Quarles, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Sutherland, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman.

The journal of yesterday was approved.

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### COMMUNICATIONS.

MADISON, *Jan. 27, 1880.*

HON. J. M. BINGHAM,

*Lt. Governor and President of the Senate:*

In pursuance of the enclosed memorial and resolutions adopted at a meeting of surviving members of the constitutional conventions of 1846 and 1847-8, held at the capitol in Madison, on the 1st day of February, 1878, and 5th of February, 1879, and of the State Pioneer Association, held at the same place, July 16, 1879, the undersigned secretaries of said meetings, in accordance

with instructions, respectfully transmit copies of the same to you, with the request that they be communicated to the senate.

Aside from instructions, we do this on behalf of some 50,000 pioneer families, and of their descendants, who are much more numerous; in response to the request of several county pioneer associations, desirous of perpetuating some of the events of early settlement; and in compliance with the suggestions of a large mass of correspondence from all sections of the state. Having devoted many months of labor, voluntarily and without compensation, to the preparation of sketches of the members of the conventions with whom we were intimately acquainted and associated, we feel a not unnatural desire to complete the duty assigned us, and not to leave a manuscript record of the most important chapter in Wisconsin history to the hazard of loss or destruction. It is a record that, once published, will ever remain a permanent part of the public archives — useful to the present and of growing value to the future. As to the manner and style of publication, form and size of volume, quality of paper and binding, number of copies, and cost, we make no suggestion other than that, if authorized, it should be plain, substantial, and creditable. Nor have we any personal interest in the matter other than pertains to all territorial settlers in common. The expense, in any event, can be but trifling as compared with the benefits.

We respectfully suggest that the memorial and resolutions may be referred to a joint select committee of the senate and assembly, where a full hearing can be had, and a report made upon all points which the legislature may desire, to determine its proper action in the premises.

H. A. TENNEY,  
DAVID ATWOOD,  
*Secretaries.*

Memorial of the surviving members of the constitutional conventions of 1846 and 1847-8, as follows:

The surviving members of the constitutional conventions of 1846 and 1847-8, in convention assembled, at the capitol, in Madison, February 5, 1879, to hear, among other things, the report of the committee appointed by them, one year ago, to collect, collate and prepare sketches of the lives of and personal career of each of the members thereof, for preservation, as a valuable addition to public annals, and having examined and approved the same, respectfully memorialize the legislature as follows:

1. To authorize the secretary of state to subscribe for a fixed number of copies of the same, from the secretaries appointed to prepare the work and superintend the publication, at a price not exceeding — cents per copy — the volume to contain not less than four hundred pages — the same to be executed in first-class style, on good book paper, neatly printed and substantially bound in cloth covers, properly lettered and delivered to the state, within six months after the date of such official order.

2. That to furnish the legislature with its usual number of cop-

ies, the surviving and deceased members of the conventions, their families and immediate relations, now increased to several thousands, and to the Historical Society for the purposes of exchange, we think the number of volumes ordered ought not to be less than five thousand.

3. That engraved or photograph likenesses of members, either deceased or now living, should be permitted to be procured for insertion in said volume, in the greatest number possible, and invited from all who may be able to furnish them, for the greater completeness and embellishment of said work.

4. That if this, our petition, is granted, that the proper distribution of said volumes be provided for as far as possible, in the act authorizing the same, in order that the legislature, members of the conventions, and relatives of deceased, copies for exchange or otherwise, may be duly and definitely determined by legal authority.

In making this appeal to the legislature, it is but proper to say, we are but a feeble band of aged citizens, drawn together by a bond of common sympathy, love for each other, and veneration for a state our labors helped to create, over whose destinies we have ever anxiously watched, and for whose preservation and prosperity we shall, while life lasts, ever earnestly pray. This is probably our last assemblage upon earth. More than half of our number have already fallen, and disease, old age, growing infirmities and natural decay, admonish us that the time is near, when there will be no survivors. We have believed that in assisting to make the constitution of Wisconsin, we made a record worthy of perpetuation in the memory of the future. But as the cost of publishing this memorial volume is too great for our sadly-thinned numbers, we make this appeal to the legislature, trusting to its enlightened liberality to grant the favor solicited, and that our petition will not be deemed offensive or out of place.

*Resolved*, That the secretaries of this convention be requested to transmit a copy of the foregoing memorial to the president of the senate and speaker of the assembly, and request that the same may be laid before each of said bodies, for such action as they may see proper to take in the premises.

The above memorial and resolution were unanimously adopted by the convention of survivors of the two constitutional conventions, held at Madison, on the 5th day of February, 1879.

MOSES M. STRONG,

Attest: H. A. TENNEY,

*President.*

DAVID ATWOOD,

*Secretaries.*

MEMORIAL OF THE PIONEER ASSOCIATION OF WISCONSIN, ADOPTED  
JULY 16, 1879.

*Resolved*, That in the judgment of this association, it is due to the early settlers of Wisconsin, and to those who represented them in territorial offices, legislature and the constitutional conventions, that the state provide for the proper publication and preservation of its

pioneer records; and the next legislature is hereby respectfully memorialized to pass a law providing for printing such authentic material from any part of the same as may be prepared, and have a bearing upon the early history of the state—as well as personal sketches of the lives and career of members of the territorial legislature and officers, and of the constitutional conventions; that such volume or volumes would be of great interest to the present and invaluable to the future.

*Resolved*, That the secretaries of this association are requested to transmit a copy of this resolution to the presiding officers of each house of the next legislature.

The foregoing resolutions were adopted by the following named pioneer settlers, as well as by several hundred citizens in attendance at the meeting.

A. Hyatt Smith, Janesville.....	1842
Moses M. Strong, Mineral Point ...	1836
George B. Smith, Madison.....	1843
Philo Dunning, Madison .....	1840
Eli Hooker, Waupun.....	1846
Theodore Rodolf, La Crosse .....	1834
H. H. Giles, Madison .....	1844
Erastus C. Smith, Janesville.....	1846
Wm. M. Rasdall, Madison.....	1841
T. E. Williams, Hudson.....	1845
John O. Henning, Hudson .....	1845
Hugh McFarland, Arlington .....	1835
James Campbell, Madison .....	1835
J. O. Eaton, Lodi .....	1842
E. M. Williamson, Madison .....	1840
Martin Meade, Madison .....	1843
Peter Parkinson, Sr., Fayette.....	1836
H. D. Goodnow, Madison.....	1844
Orsamus Cole, Madison .....	1845
George W. Cobb, Mineral Point. ...	1843
James M. Burgess, Janesville.....	1837
John A. Kellogg, Wausau... ..	1840
Cyrus Howe .....	1846
P. H. Turner, Sioux City, Iowa .....	1840
E. G. Fifield, Janesville.....	1847
Archibald Tredway, Madison.....	1842
Peter Parkinson, Jr., La Fayette Co .....	1828
H. E. Willis, Madison.....	1844
Z. S. Doty, Madison.....	1840
John B. Parkinson, Madison .....	1836
Erastus Bement, Oregon.....	1846
S. D. Hastings, Madison.....	1846
H. Brown, Oregon .....	1846
Walter Waddell, Madison.....	1843
D. F. Salisbury, Fitchburg.....	1843
Mrs. D. F. Salisbury, Fitchburg .....	1844
Croyden Sargeant, Brooklyn.....	1843
Theo. D. Kanouse, Watertown.....	1844
Abel Dunning, Madison.....	1839
Wm. H. Angel, Sun Prairie.....	1842
Robert W. Lansing, Blooming Grove.....	1843
Mrs. S. J. Yorker, Vienna .....	1838
James Terwilliger, Fitchburg .....	1845
Mrs. James Terwilliger, Fitchburg .....	1845
James H. Foster, Winnebago .....	1846

James Bennett, Madison .....	1847
G. W. Clapp, Fitchburg.....	1848
John N. Jones, Madison .....	1841
John Underwood, Oregon.....	1845
John Crawford, Wauwatosa . . . . .	1836
John L. Maloney, Springdale.....	1845
John A. Taylor, Sun Prairie.....	1845
N. H. Dryden, Springdale.....	1846
Wm. Bullock, Springfield .....	1842
Wm. R. Marshall, of Minnesota.....	1842
David Wilder, Sun Prairie .....	1836
Frank E. Parkinson, Madison ..	1842
John W. Sterling, Madison.....	1846
M. B. French, Madison.....	1848
Mark Smith, Madison.....	1839
H. A. Tenney, Madison.....	1845
Mrs. E. J. Wilson, Madison .....	1844
Mrs. Sophia Bass, Madison.....	1844
Mrs. D. T. Salisbury, Fitchburg .....	1845
Mrs. H. Brown, Oregon .....	1846
William Lalor, Dunn .....	1839
Simeon Mills, Madison.....	1837
B. F. Adams, Madison .....	1846
E. W. Dwight, Oregon .....	1847
Elizabeth Dwight, Oregon.....	1847
Charles C. Rodolf, Muscoda .....	1834
Charles E. Hoyt, Madison.....	1848
B. F. Cram, Madison.....	1842
Mrs. B. F. Cram, Madison.....	1840
M. W. Terwilliger, Oregon.....	1845
A. A. Bryce, Vienna .....	1844
John Starkweather, Madison ....	1830
George W. Stoner, Madison . . . . .	1337
James McGarney, Evansville.....	1845
R. W. Davidson, Sun Prairie .....	1841
Christie Southerland, Fitchburg .....	1841
Urbane Parsons, Madison .....	1843
Sarah Ann Southerland, Fitchburg.....	1842
Geo. E. Allen, Medina .....	1844
Garret Rooney, Oregon .....	1842
Alfred C. Parkinson, Madison .....	1845
R. M. Bashford, Madison.....	1845
Mrs. W. H. True, Fitchburg.....	1843
Mrs. Lydia Helms Fitchburg .....	1845
O. O. Rose, Fitchburg.....	1848
Mrs. O. O. Rose, Fitchburg.....	1848
Mrs. Johanna Frederick, Verona.....	1846
Mrs. H. H. Cornwell, Verona .....	1846
Darwin Clark, Madison .....	1837
Anna Doolittle, Madison . . . . .	1845
Elizabeth Hare, Dayton .....	1845
S. W. Botkin, Madison .....	1841
Peter B. Fields, Madison.....	1836
James W. Sumner, Madison .....	1848
Dr. John Favill, Madison .....	1849
William Welch, Madison .....	1845
Geo. H. Slaughter, Madison .....	1837
G. T. Long, Madison.....	1834
B. C. Slaughter, Madison .....	1838
Alexander Wilson, Springfield.....	1846
H. Martin, Springfield..	1847
O. P. Underwood, Avoca .....	1845
Clarinda Hanon, Avoca .....	1845

David Holt, Madison.....	1843
Mrs. David Holt, Madison.....	1843
Mrs. J. W. Parkinson, Madison.....	1838
Mrs. J. B. Sterling, Madison.....	1841
N. W. Dean, Madison.....	1841
Mrs. N. W. Dean, Madison.....	1841
Henry Underwood, Oregon.....	1845
D. K. Tenney, Madison.....	1849
F. L. Warner, Sun Prairie.....	1847
J. Bell, Oregon.....	1848
Mrs. J. Bell, Oregon.....	1848
Abraham Morton, Madison.....	1846
John Hanan, Oregon.....	1845
David Atwood, Madison.....	1847
John S. Hawks, Madison.....	1848

The communication was referred to a joint special committee, and Senators Scott, Blackstone and Paul appointed as such committee on the part of the senate.

### LETTERS, PETITIONS, ETC.

By Senator Fifield:

Pet. No. 17, S.,

Of George Umland, J. H. Swart and 40 other citizens of Polk county for the repeal of the dog law.

To committee on Judiciary.

By Senator Hyde:

Pet. No. 18, S.,

Of Winkin Lewis and 15 other citizens of Milwaukee asking for the passage of bill No. 1, S., relating to the practice of dentistry.

To committee on Judiciary.

### RESOLUTIONS INTRODUCED.

By Senator McGrew:

Res. No. 9, S.,

*Resolved by the senate, the assembly concurring,* That section 4 of article IV of the constitution of this state be amended so as to read as follows: Section 4. The members of the assembly shall be chosen biennially by single districts on the Tuesday succeeding the first Monday of November by the qualified electors of the several districts, such district to be bounded by county, precinct, town or ward lines, to consist of contiguous territory, and to be in as compact form as practicable. That section 5 of article IV of the constitution of this state be amended so as to read as follows:

Section 5. The senators shall be elected by single districts of convenient contiguous territory, at the same time and in the same manner as members of the assembly are required to be chosen,

and no assembly district shall be divided in the formation of a senate district. The senate districts shall be numbered in the regular series, and the senators shall be chosen alternately from the odd and even numbered districts. The senators chosen next after the adoption of this amendment shall go out of office at the expiration of the third year, and all senators shall thereafter be chosen for a term of four years. That section 11 of article 4 of the constitution of this state be amended so as to read as follows:

Section 11. The legislature shall meet at the seat of government at such time as shall be provided by law once in two years, and no oftener, unless convened by the governor. That section 21, of article IV, of the constitution of this state be amended so as to read as follows: Section 21. Each member of this legislature shall receive for his services, for and during a regular session, the sum of five hundred dollars, and ten cents for every mile he shall travel going to and returning from the place of the meeting of the legislature on the most usual route. In case of an extra session of the legislature, no additional compensation shall be awarded to any member thereof, either directly or indirectly. No stationery, newspapers, postage or other perquisites, except the salary and mileage above provided, shall be received from the state by any member of the legislature for his services, or in any other manner as such member.

On motion of Senator Burrows,

The resolution was referred to committee on State Affairs.

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## BILLS INTRODUCED.

Read first and second times and referred.

By Senator Fifield:

No. 68, S.,

A bill to amend sections 1 and 5 of chapter 192 of the laws of 1879, entitled an act to regulate the size of meshes of nets used in the waters of Lake Michigan and the waters of Green Bay and the waters of Lake Superior, and for the better enforcement of the fish and game laws of the state, and to repeal section 4563 of the revised statutes.

To special committee consisting of Senators Rankin, Quarles, Grimmer, Van Schaick and Fifield.

By Senator Bennett:

No. 69, S.,

A bill regulating the inspection, sale and uses of illuminating oils from petroleum and other sources.

To committee on Manufactures and Commerce.

By Senator Hyde:

No. 70, S.,

A bill to appropriate to the state printer a sum of money therein named.

To committee on Printing.

By Senator Dering:

No. 71, S.,

A bill to legalize the acts of L. S. Rolleston, county clerk in and for the county of Columbia.

To committee on Judiciary.

By Senator Scott:

No. 72, S.,

A bill authorizing the towns of Sigel and Flambeau in Chippewa county, Wisconsin, to levy a special tax for the purpose of paying off certain bonds, and empowering the board of supervisors of Chippewa county to adjust the indebtedness of said towns.

To committee on Judiciary.

By Senator Grimmer:

No. 73, S.,

A bill to create the Kewaunee Harbor Commission and define their duties.

To committee on Town and County Affairs.

By Senator Weaver:

M. C. No. 3, S.,

To postmaster general, for the establishment of a daily mail between the villages of Pewaukee and Sussex, in Waukesha county.

On motion of Senator Weaver,

The rules were suspended, and the memorial was read a third time and passed.

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### REPORTS OF COMMITTEES.

The committee on State Affairs, to whom was referred

No 12, S.,

A bill relating to fences,

Have had the same under consideration, and report the same back with the recommendation that it do pass.

GEO. B. BURROWS,

*Chairman.*

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The committee on Enrolled Bills have examined and find correctly enrolled,

Jt. Res. No. 5., S.

Relating to introduction of new business after 5th February next.

No. 2, S.,

A bill to authorize the commissioners of public lands to loan a portion of the trust funds of the state to the county of Vernon.

GEO. E. SUTHERLAND,  
*Chairman.*

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The committee on Engrossed Bills have examined and find correctly engrossed,

No. 5, S.,

A bill empowering commissioners of United States courts to administer oaths and take and certify the acknowledgment of deeds and other instruments in writing.

No. 20, S.,

A bill relating to the Milwaukee and Brookfield Macadamized Turnpike Company, and amendatory of section 1, chapter 279, laws of 1878.

No. 22, S.,

A bill to amend section 4153 of the revised statutes, relating to evidence.

GEO. W. RYLAND,  
*Chairman.*

---

The committee on Legislative Expenditures to whom was referred

No. 43, S.,

A bill relating to appropriation for stationery for certain employes,

Have had the same under consideration, and have instructed me to report the same back with the recommendation that it be re-committed to the committee on Claims.

January 29, 1880.

J. V. QUARLES,  
*Chairman.*

So ordered.

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The committee on Federal Relations, to whom was referred

Jt. Res. No. 7, S.,

Requesting the senators and members of congress from Wisconsin to support a certain bill in relation to immediate transportation of dutiable goods,

Have had the same under consideration, and have instructed me to report the same back with the recommendation that it be adopted.

M. GRIFFIN,  
*Chairman.*

The committee on Judiciary, to whom was referred

No. 9, A.,

A bill to authorize the commissioners of public lands to loan a portion of the trust funds of the state to the city of Wausau, in Marathon county,

Have had the same under consideration, and have instructed me to report the same back with amendments, and recommend that the same be concurred in when so amended.

H. E. HOUGHTON,  
*Chairman.*

On motion of Senator Houghton,

The rules were suspended, the amendments to No. 9, A., were adopted, and the bill was read a third time and concurred in.

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### MESSAGE FROM THE ASSEMBLY.

By J. E. ELDBRED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has concurred in No. 51, S.,

A bill to authorize the commissioners of school and university lands to loan a portion of the trust funds to the city of Berlin.

---

### SENATE RESOLUTION CONSIDERED.

Res. No. 18, S.,  
Relating to railroad freights,  
Was Adopted.

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### BILLS READY FOR A THIRD READING.

No. 9, S.,

A bill to authorize Thomas W. Gay, James A. Robb and Samuel H. Robb, their associates and assigns, to construct and maintain a dam across the Kickapoo river on land owned by them,

Was read a third time and passed.

---

### BILLS ON THEIR ENGROSSMENT AND THIRD READING.

No. 25, S.,

A bill to amend chapter 284 of the private and local laws of 1866, entitled an act to incorporate the Eau Claire Lumber Company,

Was ordered engrossed and read a third time.

The amendments to

No. 34, S.,

A bill relating to bonds of counties, cities, villages or towns, and amendatory of section 960 c, chapter 41, revised statutes of 1878,

Were adopted, and the bill was ordered engrossed and read a third time.

No. 5, S.,

A bill empowering commissioners of United States courts to administer oaths and take and certify the acknowledgment of deeds and other instruments in writing,

Was indefinitely postponed.

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On motion of Senator Thomas,

No. 1, S.,

A bill to regulate the practice of dentistry in the state of Wisconsin,

Was recommitted to the committee on Judiciary.

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On motion of Senator Burrows,

The senate adjourned.

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FRIDAY, JANUARY 30, 1880.

10 O'CLOCK A. M.

The senate met.

The president in the chair.

Prayer by the Rev. Mr. Maltby.

The roll was called, and the following senators answered to their names:

Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, McFetridge, McGrew, Morgan, Paul, Quarles, Richardson, Ryland, Scott, Smith, Sutherland, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman.

The journal of yesterday was approved.

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#### LEAVES OF ABSENCE.

Leaves of absence were granted,

To Senator Fifield, till Monday evening.

To Senators Weaver, Griffin, Woodman and Bennett, until Tuesday; and

To Senator Kellogg, until Wednesday.

Senator Richardson moved, that when the senate adjourn, it be until Monday evening at 7:30 o'clock.

Which motion prevailed.

### RESOLUTIONS INTRODUCED.

By Senator Burrows:

Jt. Res. No. 10, S.,

Requesting the United States ministers to England and Spain to use their best efforts to secure certain publications for the State Historical Society:

*Resolved by the assembly, the senate concurring,* That Hon. James Russell Lowell, our minister to Great Britain, be respectfully requested to use his kind offices in soliciting from Lord Romelly, Master of the Rolls, a continuation and completion of the valuable publications of the British Rolls office, for the library of the State Historical Society of Wisconsin.

*Resolved by the senate, the assembly concurring,* That Hon. Lucius Fairchild, our minister to Spain, be respectfully requested to use his kind offices in soliciting from the Spanish government, for the library of the State Historical Society of Wisconsin, a copy of "Cartas de Indias," a valuable work published by that government from hitherto unpublished manuscript records, relative to the early discovery of America.

*Be it further resolved,* That his excellency, the governor, be requested to transmit to ministers Lowell and Fairchild a properly certified copy of the respective preceding resolutions.

By Senator Anderson:

Jt. Res. No. 61, S.,

Requesting senators and members of congress from Wisconsin to support such legislation as will place inter-state commerce under the control of a board of commissioners.

WHEREAS, There has been a combination of railroad companies controlling the main lines between the west and the Atlantic seaboard, thus preventing competition in carrying freights; and

WHEREAS, At a recent meeting of the officers of said roads they refused to lower the rates of freight, when there is twenty millions of bushels of grain in the west on which the owners cannot afford to pay the present rates without great loss; in consequence of such action the price of grain has been lowered, to the great injury of farmers and business men of the west and northwestern states, and that the increase of rates on freight from fifteen cents per one hundred pounds to forty cents per one hundred pounds when our crops are ready for shipment, is an act of extortion from which we have a right to demand protection; therefore

*Resolved by the senate, the assembly concurring,* That our representatives in congress are requested, and our senators instructed, to do all in their power to procure such legislation as will protect

the people from extortionate rates of freight, and to establish a uniform maximum rate; also, to favor the appointment of a board of commissioners to regulate and control inter-state commerce.

*Resolved*, That his excellency, the governor, be and is hereby requested to forward a certified copy of these resolutions to each of the senators and congressmen representing the people of Wisconsin in congress.

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### BILLS INTRODUCED.

Read first and second times and referred.

By Senator Bennett:

No. 74, S.,

A bill exempting the sale of sewing machines and musical instruments from license under chapter 67 of the revised statutes.

To committee on State Affairs.

By Senator Sutherland:

No. 75, S.,

A bill to amend section 4679 of the revised statutes relating to change of venue in criminal cases.

To committee on Judiciary.

By Senator Sutherland:

No. 76, S.,

A bill to provide for the incorporation of religious societies in connection with Congregational churches.

To committee on Judiciary.

By Senator Quarles:

No. 77, S.,

A bill to promote good order and repress crime.

To committee on Judiciary.

By Senator Hyde:

No. 78, S.,

A bill to provide for discharged convicts, and the appointment of a state agent for that purpose.

To committee on Charitable and Penal Institutions.

By Senator Hyde:

No. 79, S.,

A bill to provide for the education of the deaf and dumb by the articulate or phonological method.

To committee on Charitable and Penal Institutions.

By Senator Quarles:

No. 80, S.,

A bill to provide for the disposal of the property of corporations whose charters shall have expired or been amended.

To committee on Judiciary.

By Senator Burrows:

No. 81, S.,

A bill to amend section 4395 of the revised statutes of 1878, entitled of offenses against the lives and persons of individuals.

To committee on Judiciary.

By Senator Quarles:

No. 82, S.,

A bill to repeal sections 592 and 594 of revised statutes of 1878, relating to public charities, and to amend section 593, R. S. 1878, and to prescribe the procedure for committing persons to the insane hospitals.

To committee on Judiciary.

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### REPORTS OF COMMITTEES.

The committee on Judiciary, to whom was referred

No. 62, S.,

A bill to amend section 111 *a* of the revised statutes of 1878, entitled of the legislature,

No. 65, S.,

A bill relating to the municipal court of the city of Eau Claire, and amendatory of section 10 of chapter 183 of the laws of Wisconsin for 1874, as amended by section 1 of chapter 329 of the laws of Wisconsin for 1878,

Have had the same under consideration, and have instructed me to report the same back with the recommendation that they do pass.

No. 47, S.,

A bill to amend chapter 13, revised statutes 1878, relating to appointments of notaries public, and prescribing their duties,

Have had the same under consideration, and instruct me to report the same back, and recommend that the same be indefinitely postponed.

No. 46, S.,

A bill relating to the payment of fees upon settlement of estates of deceased persons in the county of Milwaukee, and amendatory of section 2483 of the revised statutes of 1878,

No. 50, S.,

A bill to provide a salary for justices of the peace in incorporated cities of a population of sixty thousand or upwards,

Have had the same under consideration, and instruct me to report the same back, and recommend that they be recommitted to a select committee composed of the senators from Milwaukee county.

H. E. HOUGHTON,

*Chairman.*

So ordered as to Nos. 50, S., and 46, S.

The Committee on Roads and Bridges, to whom was referred  
No. 10, A.,

A bill to amend sections 1 and 2 of chapter 108 of the laws of 1879, entitled an act to provide for the laying out of a state road from Lincoln, Kewaunee county, to intersect the Green Bay and Sturgeon Bay state road in the town of Green Bay, Brown county,

Have had the same under consideration, and respectfully report it back with the recommendation that it be concurred in.

J. B. BENNETT,  
*Chairman.*

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The committee on Finance, Banks and Insurance, to whom was referred

No. 40, S.,

A bill to amend chapter 204, general laws of 1879, entitled an act relating to secret, beneficiary, charitable and benevolent orders.

Have had the same under consideration, and respectfully report it back with the recommendation that it be indefinitely postponed.

G. VAN STEENWYK,  
*Chairman.*

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The committee on Enrolled Bills have examined and find correctly enrolled,

No. 51, S.,

A bill to authorize the commissioners of school and university lands to loan a portion of the trust funds to the city of Berlin.

GEO. E. SUTHERLAND,  
*Chairman.*

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The committee on Legislative Ependitures, to whom was referred  
No. 41, S.,

A bill to amend chapter 141, laws of 1879, entitled an act to amend section 121, chapter 10, revised statutes of 1878, in relation to the distribution of blue books,

Have had the same under consideration and instruct me to report an amendment to the same, with there commendation that the bill do pass when so amended.

J. V. QUARLES,  
*Chairman.*

---

The committee on Engrossed Bills have examined and find engrossed:

No. 3, S.,

A bill to amend chapter 167, general laws 1879, entitled an act to amend sections 3329 and 3330 of the revised statutes of 1878, entitled of liens.

No. 15, S.,

A bill to authorize James McCrossen and others to build a dam across and otherwise improve Spirit river, in Lincoln county, Wisconsin.

GEO. W. RYLAND,  
*Chairman.*

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### EXECUTIVE COMMUNICATION.

STATE OF WISCONSIN,  
*Executive Department.*  
MADISON, *January 30, 1880.*

*To the Honorable the Senate:*

I have the honor to report the following appointments made during the recess of the legislature, subject to your confirmation, viz:

John H. Vivian, of Iowa county, appointed March 15, 1879, member of the State Board of Charities and Reform for the term commencing April 1, 1879.

A. O. Wright, of Dodge county, appointed May 21, 1879, regent of normal schools, to fill vacancy occasioned by the death of Hon. Wm. Starr.

C. L. Valentine, of Rock county, appointed July 21, 1879, and Philo Dunning, appointed August 23, 1879, commissioners of fisheries, to fill vacancies occasioned by the resignation of P. R. Hoy and William Welch.

I also have the honor to submit the following nominations for the appointment to the several offices named:

Hon. Nelson Dewey, of Grant county, appointed to be director of the state prison for the term commencing the first Monday of January, 1880.

A. J. Turner, of Columbia county, to be railroad commissioner for the term commencing February 15, 1880.

Willard H. Chandler, of Dane county; Abraham D. Andrew, of Pierce county, and Thompson D. Weeks, of Walworth county, to be regents of the normal schools for the term commencing the first Monday of February, 1880.

WILLIAM E. SMITH,  
*Governor.*

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### MESSAGE FROM THE ASSEMBLY.

By J. E. ELDRÉD, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has concurred with the senate in the passage of

No. 28, S.,

A bill to authorize the commissioners of public lands of the state of Wisconsin to extend the time of payment of the loan made from

the trust funds of the state to school district No. 12, in the town of Darlington, formerly town of Center.

And has passed, and asks the concurrence of the senate in,  
No. 18, A.,

A bill to amend an act entitled an act to revise, consolidate and amend the city charter of the city of Fond du Lac, approved March 5, 1879.

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### ASSEMBLY MESSAGE CONSIDERED.

No. 18, A.,

Was referred to committee on Incorporations.

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### SENATE RESOLUTIONS CONSIDERED.

Jt. Res. No. 7, S.,

Requesting the senators and representatives in congress from Wisconsin to support a certain bill in relation to immediate transportation of dutiable goods.

Adopted.

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### BILLS READY FOR A THIRD READING.

No. 5, S.,

A bill empowering commissioners of United States courts to administer oaths and take and certify the acknowledgment of deeds and other instruments in writing.

No. 20, S.,

A bill relating to the Milwaukee and Brookfield Macadamized Turnpike Company, and amendatory of section 1, chapter 279, laws of 1878.

No. 22, S.,

A bill to amend section 4153 of the revised statutes, relating to evidence,

Were severally read a third time and passed.

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### BILLS ON THEIR ENGROSSMENT AND THIRD READING.

No. 12, S.,

A bill relating to fences.

Senator Anderson offered the following amendment:

Amend by striking out of the first line the words: "The fence known as the Mihills' combination," and insert in the first line before the word fence the word "any."

On motion of Senator Houghton,  
The bill with pending amendment was recommitted to the committee on State Affairs.

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On motion of Senator Kellogg,  
The senate adjourned.

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MONDAY, FEBRUARY 2, 1880.

7:30 o'clock P. M.

The senate met.

President *pro tem* Scott in the chair.

The roll was called, and the following senators answered to their names:

Senators Anderson, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Grimmer, Haben, Hyde, McGrew, Morgan, Paul, Price, Quarles, Rankin, Richardson, Ryland, Scott, Smith, Sutherland, Thomas, Van Schaick, Van Steenwyk and Woodman.

The journal of Friday was approved.

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#### LEAVE OF ABSENCE.

Leave of absence was granted to Senator Quarles until Thursday, and to Senator Houghton until Wednesday.

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#### LETTERS, PETITIONS, Etc.

By Senator Paul:

Pet. No. 19, S.,

Of citizens of Bay View against annexation to the city of Milwaukee.

To the Milwaukee Delegation.

## BILLS INTRODUCED.

Read first and second times and referred.

By Senator Dering:

No. 83, S.,

A bill relating to railroads, and to amend section 1839 of the revised statutes, in relation to execution and recording of conveyances of railroad corporations.

To committee on Railroads.

By Senator Van Steenwyk:

No. 84, S.,

A bill to legalize the official acts of Alois Neuburg, a justice of the peace in the county of La Crosse.

To committee on Judiciary.

By Senator Blackstone:

No. 85, S.,

A bill to authorize the commissioners of public lands to loan a portion of the trust funds of the state to the town of Shullsburg, in La Fayette county.

To committee on State Affairs.

By Senator Quarles:

No. 86, S.,

A bill to amend section 4565 of the revised statutes, relating to certain game.

To committee on State Affairs.

By Senator Burrows:

No. 87, S.,

A bill to appropriate to the superintendent of public property a sum of money therein named, to purchase the necessary stationery for the use of the legislature and state officers for the ensuing year.

To committee on Claims.

By Senator Quarles:

No. 88, S.,

A bill to provide for the rebuilding of a portion of the Institution for the Education of the Deaf and Dumb, and to appropriate the sum of money therein named.

To committee on Charitable and Penal Institutions.

By Senator Van Schaick:

No. 89, S.,

A bill to amend chapter 131 revised statutes of the state of Wisconsin, relating to court commissioners.

To committee on Judiciary.

By Senator Richardson:

No. 90, S.,

A bill to appropriate to the Industrial School for Boys a certain sum of money for current expenses.

To committee on Charitable and Penal Institutions.

By Senator Richardson:

No. 91, S.,

A bill to appropriate to the Institution for the Education of the Deaf and Dumb a sum of money therein named.

To committee on Charitable and Penal Institutions.

By Senator Richardson:

No. 92, S.,

A bill to appropriate to the Wisconsin State Hospital for the Insane certain sums of money to defray current expenses, and for special purposes.

To committee on Charitable and Penal Institutions.

By Senator Richardson:

No. 93, S.,

A bill to appropriate to the Wisconsin State Hospital for the Insane a certain sum of money to pay indebtedness.

To committee on Charitable and Penal Institutions.

By Senator Richardson:

No. 94, S.,

A bill to appropriate to the Northern Hospital for the Insane certain sums of money for current expenses and special purposes.

To committee on Charitable and Penal Institutions.

By Senator McGrew:

No. 95, S.,

A bill to provide for the proper proportion of payment of surveys made by the county surveyor or his deputy, by all the owners of land in a section.

To committee on Town and County Affairs.

By Senator McGrew:

No. 96, S.,

A bill to authorize the Iowa County Agricultural Society to donate to the Mineral Point Railroad Company a piece of land.

To committee on Railroads.

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### REPORTS OF COMMITTEES.

The committee on Engrossed Bills have examined and find correctly engrossed,

No. 25, S.,

A bill to amend chapter 284 of the private and local laws of 1866, entitled an act to incorporate the Eau Claire Lumber Company.

No. 34, S.,

A bill relating to bonds of counties, cities, villages or towns, and amendatory of section 960 c, chapter 41, revised statutes of 1878.

GEO. W. RYLAND,  
*Chairman.*

## MESSAGE FROM THE ASSEMBLY.

By J. E. ELDBRED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has passed, and asks the concurrence of the senate in.

No. 11, A.,

A bill to authorize commissioners of the public lands to loan a portion of the trust funds of the state to the town of Kewaunee, in the county of Kewaunee.

No. 30, A.,

A bill to repeal sections 6, 7 and 8 of chapter 259, laws of 1878, and chapter 104, laws of 1879, relating to a state road from Wolf river, in Shawano county, to Wausau, in Marathon county.

No. 37, A.,

A bill to amend section 1014 of the revised statutes, relating to statistics.

No. 63 A.,

A bill to authorize the levy and collection of a special tax in the second ward of the city of Milwaukee.

No. 75, A.,

A bill to authorize the levy of a special tax in the ninth ward of the city of Milwaukee.

No. 88, A.,

A bill to authorize the levy of a special tax in the tenth ward of the city of Milwaukee.

M. C. No. 5, A.,

Memorial to congress relating to the construction of a harbor of refuge at Milwaukee, Wisconsin.

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ASSEMBLY MESSAGE CONSIDERED.

No. 11, A.,

Was referred to the committee on State Affairs.

No. 30, A.,

Was referred to the committee on Roads and Bridges.

No. 37, A.,

Was referred to the committee on Judiciary.

Nos. 63, 75, 88, and M. C. No. 5, A.,

Were referred to the Milwaukee Delegation.

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SENATE RESOLUTIONS CONSIDERED.

Jt. Res. No. 10, S.,

Requesting the United States ministers to England and Spain to

use their best efforts to secure certain publications for the State Historical Society,

Was adopted.

On motion of Senator Fifield,

Jt. Res. No. 11, S.,

Requesting senators and members of congress from Wisconsin to support such legislation as will place inter-state commerce under the control of a board of commissioners,

Was referred to the committee on Federal Relations.

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### BILLS READY FOR A THIRD READING.

No. 3, S.,

A bill to amend chapter 167, general laws 1879, entitled an act to amend sections 3329 and 3330 of the revised statutes of 1878, entitled of liens,

No. 15, S.,

A bill to authorize James McCrossen and others to build a dam across and otherwise improve Spirit river, in Lincoln county, Wisconsin,

Were severally read a third time and passed.

No. 10, A.,

A bill to amend sections 1 and 2 of chapter 108 of the laws of 1879, an act to provide for the laying out of a state road from Lincoln, Kewaunee county, to intersect the Green Bay and Sturgeon Bay state road, in the town of Green Bay, in Brown county,

Was read a third time and concurred in.

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### BILLS ON THEIR ENGROSSMENT AND THIRD READING.

No. 40, S.,

A bill to amend chapter 204, general laws of 1879, entitled an act relating to secret, beneficiary, charitable and benevolent orders,

No. 47, S.,

A bill to amend chapter 13, revised statutes 1878, relating to appointments of notaries public, and prescribing their duties,

Were indefinitely postponed.

No. 65, S.,

A bill relating to the municipal court of the city of Eau Claire, and amendatory of section 10 of chapter 183 of the laws of Wisconsin for 1874, as amended by section 1 of chapter 329 of the laws of Wisconsin for 1878,

Was ordered engrossed and read a third time.

No. 41, S.,

A bill to amend chapter 141, laws of 1879, entitled an act to amend section 121, chapter 10, revised statutes of 1878, in relation to the distribution of blue books,

Was aid over until to-morrow.

No. 62, S.,

A bill to amend section 111 *a* of the revised statutes of 1878, entitled of the legislature,

Was recommitted to the Judiciary committee, to have report of committee corrected.

Senator Rankin moved to adjourn.

Which motion was lost.

The Judiciary committee asked leave to report.

Senator Rankin objected, on the ground that there had been no meeting of the committee.

The objection was sustained by the chair.

Senator Thomas moved that bill No. 62, S., be recalled from the Judiciary committee.

Senator Price moved to adjourn.

The ayes and noes being demanded, it was decided in the negative: ayes, 7; noes, 11.

The vote was as follows:

*Ayes*—Senators Grimmer, Haben, McGrew, Paul, Price, Scott and Smith—7.

*Noes*—Senators Chipman, Dering, Fifield, Morgan, Quarles, Ryland, Sutherland, Thomas, Van Schaick, Van Steenwyk and Woodman—11.

Senator Thomas' motion then prevailed.

Senator Thomas moved that all rules interfering with the present consideration of No. 62, S., be suspended and the bill put upon its passage.

The ayes and noes being demanded,

It was decided in the affirmative; ayes, 19; noes, 5.

The vote was as follows:

*Ayes*—Senators Anderson, Burrows, Chipman, Dering, Fifield, Grimmer, Haben, Hyde, McGrew, Price, Quarles, Richardson, Ryland, Scott, Sutherland, Thomas, Van Schaick, Van Steenwyk and Woodman—19.

*Noes*—Senators Carter, Morgan, Paul, Rankin and Smith—5.

On motion of Senator Sutherland, the clerk was instructed to correct the records so as to show that Senators Rankin and Paul dissented from the report of the Judiciary committee in regard to No. 62, S.

The question being on the passage of the bill, the ayes and noes were demanded, and the bill was read a third time and passed by the following vote:

*Ayes*—Senators Blackstone, Burrows, Chipman, Dering, Fifield, Grimmer, Hyde, McGrew, Price, Quarles, Ryland, Scott, Sutherland, Thomas, Van Schaick, Van Steenwyk and Woodman—17.

*Noes*—Senators Anderson, Carter, Haben, Morgan, Paul, Rankin and Smith—7.

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On motion of Senator Van Steenwyk,  
The senate adjourned.

TUESDAY, FEBRUARY 3, 1880.

10 o'CLOCK A. M.

The senate met.

President *pro tem.* Scott in the chair.

Prayer by the Rev. Mr. Wright.

The roll was called, and the following senators answered to their names:

Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Grimmer, Haben, Hyde, Kelly, McFetridge, McGrew, Morgan, Paul, Price, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Sutherland, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman.

The journal of yesterday was approved.

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Senator Kelly appeared upon the floor, and subscribed to the oath of office, which was administered by president *pro tem.* Scott.

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### LETTERS, PETITIONS, Etc.

Presented and referred:

By Senator Sutherland:

Pet. No. 20, S.,

Of Geo. Jess and 52 others against the passage of bill No. 14, S.

To committee on Incorporations.

By Senator Sutherland:

Pet. No. 21, S.,

Of Eli Hooker and 22 others for the passage of bill No. 18, S.

To committee on Incorporations.

By Senator Sutherland:

Pet. No. 22, S.,

Of Charles A. Love and 29 others, teachers and patrons of common schools, for a change in the law relating to the election of school superintendents.

To committee on Education.



By Senator Richardson:

Pet. No. 23, S.,

Of O. P. Robinson and 80 others asking for a law taxing church property.

To committee on Charitable and Penal Institutions.

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### BILLS INTRODUCED.

Read first and second times and referred.

By Senator Richardson:

No. 97, S.,

A bill to amend section 843 of chapter 39 of the revised statutes of 1878, relating to constable fees.

To committee on Judiciary.

By Senator Woodman:

No. 98, S.,

A bill to authorize the St. Paul & Chicago Short Line Railway Company to construct a bridge on Lake St. Croix.

To committee on Railroads.

By Senator Bennett:

No. 99, S.,

A bill to appropriate a sum of money therein named.

To committee on Claims.

By Senator Thomas:

No. 100, S.,

A bill to amend the charter of the city of Prairie du Chien.

To committee on Incorporations.

By Senator Paul:

No. 101, S.,

A bill relating to village charters, and amendatory of sections 910 and 875 of chapter 40 of the revised statutes of 1878.

To committee on Judiciary.

By Senator Paul:

No. 102, S.,

A bill to amend sections 1546, 1547 and 1786 of chapters 65 and 86 of the revised statutes, relating to industrial schools and commitments thereto.

To committee on Charitable and Penal Institutions.

By Senator Haben:

No. 103, S.,

A bill to reorganize the third, fourth and tenth judicial circuits, and to create the thirteenth judicial circuit.

To committee on Judiciary.

By Senator Sutherland:

No. 104, S.,

A bill to regulate the recovery of costs and fees in certain cases from counties.

To committee on Judiciary.

By Senator Blackstone:

No. 105, S.,

A bill relating to discontinuance of highways, amendatory of section 1294, revised statutes.

To committee on Judiciary.

By Senator Blackstone:

No. 106, S.,

A bill relating to the division of towns into election districts, and amendatory of section 27, chapter 5, of the revised statutes.

To committee on Judiciary.

By Senator Smith:

No. 107, S.,

A bill to amend section 1971, chapter 89 of the revised statutes of 1878, relating to insurance corporations.

To committee on Finance, Banks and Insurance.

By Senator Smith:

No. 108, S.,

A bill to authorize the justices of the peace elected in the several wards of the city of Plymouth, to keep an office and perform their duties in any part of said city.

To committee on Judiciary.

By Senator Fifield:

No. 109, S.,

A bill to authorize Wm. Wilson, Andrew Tainter, John H. Knapp, Henry L. Stout, Thomas B. Wilson and John L. Douglass, their associates, successors and assigns, to construct and maintain a dam across Hay river, in Barron county, on land owned by the Knapp, Stout & Co. Company.

To committee on Incorporations.

By Senator Fifield:

No. 110, S.,

A bill to authorize Henry L. Stout, John H. Douglass, William Wilson, John H. Knapp, Andrew Tainter, Thomas B. Wilson, their associates, successors and assigns, to erect and maintain a dam across Hemlock creek, in Barron county, on land owned by the Knapp, Stout & Co. Company.

To committee on Incorporations.

By Senator Scott:

No. 111, S.,

A bill to authorize A. B. McDonnell, his associates and assigns, to build and maintain a dam across, and otherwise improve, Pine creek, in Price county, Wisconsin.

To committee on Incorporations.

By Senator Scott:

No. 112, S.,

A bill to authorize John H. Knapp, Andrew Tainter, Thomas B. Wilson, Henry L. Stout, William Wilson, John H. Douglass, their associates, successors and assigns, to construct and maintain a dam across Hemlock creek, in Chippewa county, on lands owned by the Knapp, Stout & Co. Company.

To committee on Incorporations.

By Senator Scott:

No. 113, S.,

A bill to authorize Thos. B. Wilson, Andrew Tainter, William Wilson, Henry L. Stout, John H. Knapp, John H. Douglass, their associates, successors and assigns, to erect and maintain a dam across Hemlock creek in Chippewa county, on lands owned by the Knapp, Stout & Co. Company.

To committee on Incorporations.

By Senator Scott:

No. 114, S.,

A bill to authorize Thos. B. Scott to build a dam or dams on Prairie river, in Lincoln county, Wisconsin.

To committee on Incorporations.

By Senator Van Schaick:

No. 115, S.,

A bill to appropriate a certain sum of money therein named to Wisconsin Industrial School for Girls.

To committee on Charitable and Penal Institutions.

By Senator Haben:

M. C. No. 4, S.,

For a modification of the existing laws respecting the payment of pensions to disabled soldiers and sailors.

To committee on Military Affairs.

By Senator Scott:

M. C. No. 5, S.,

Relating to the calling of a national convention for the purpose of framing a national constitution to be submitted to the popular vote.

To committee on Federal Relations.

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## REPORTS OF COMMITTEES.

The committee on Finance, Banks and Insurance, to whom was referred

Jt. Res. No. 6, S.,

In regard to withdrawal of legal tender character of United States notes,

Have had the same under consideration, and report it back to the

senate with the recommendation that it be indefinitely postponed.  
Jt. Res. No. 8, S.,

In relation to financial legislation in congress,

Have had the same under consideration, and report it back to the senate with amendments, and recommend its passage when so amended.

G. VAN STEENWYK,  
*Chairman.*

The committee on Incorporations, to whom was referred  
No. 26, S.,

A bill to authorize Jes. Erichsen and E. C. Manger to maintain a boom in Kewaunee river, in Kewaunee county,

Have had the same under consideration and report it back to the senate with the recommendation that it do pass.

GEO. GRIMMER,  
*Chairman.*

### MESSAGE FROM THE ASSEMBLY.

By J. E. ELDRÉD, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has passed, and asks the concurrence of the senate in,

No. 3, A.,

A bill to repeal sections 1623, 1624 and 1625 of chapter 72 of the revised statutes, entitled of dogs and wild animals,

No. 15, A.,

A bill for the protection of passengers on railroad cars and conferring police powers on conductors and agents in certain cases,

No. 35, A.,

A bill to amend section 4451, chapter 182, revised statutes, entitled offenses against property,

No. 44, A.,

A bill to amend section 4756 of chapter 194 of the revised statutes of 1878, entitled of proceedings in criminal cases in justices' courts,

And has adopted and asks the concurrence in

Jt. Res. No. 15, A.,

Relating to furnishing copies of volume 2 of Geological Survey to members of the legislature and others,

### ASSEMBLY MESSAGE CONSIDERED.

Nos. 3, 15, 35 and 44, A.,

Were referred to Judiciary committee.

Jt. Res. No. 15, A.,

Was referred to the committee on Legislative Expenditures.

## BILLS READY FOR A THIRD READING.

No. 25, S.,

A bill to amend chapter 284 of the private and local laws of 1866, entitled an act to incorporate the Eau Claire Lumber Company'

No. 34, S.,

A bill relating to bonds of counties, cities, villages or towns, and amendatory of section 960 c, chapter 41, revised statutes of 1878,  
Were severally read a third time and passed.

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## BILLS ON THEIR ENGROSSMENT AND THIRD READING.

No. 41, S.,

A bill to amend chapter 141, laws of 1879, entitled an act to amend section 121, chapter 10, revised statutes of 1878, in relation to the distribution of blue books.

The question being on the adoption of the amendment reported by the committee, Senator Bennett offered the following amendment to the amendment:

Amend section 1 by inserting the words "twenty-five copies to the lieutenant governor," immediately after the words "as follows," in fifth line in section 1 of said chapter 141 of revised statutes of 1878.

Which was adopted.

Senator Rankin offered the following amendment to the amendment:

Amend by inserting after the word "senate," in the fifth line of printed bill, the words "assistant secretary of state and assistant treasurer."

Which was adopted.

The amendment as amended was then adopted, and the bill was ordered engrossed and read a third time.

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On motion of Senator McGrew,  
The senate adjourned.

WEDNESDAY, FEBRUARY 4, 1880,

10 o'Clock A. M.

The senate met.

President *pro tem.* Scott in the chair.

Prayer by the Rev. Mr. Wright.

The roll was called, and the following senators answered to their names:

Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, Kelly, McFetridge, McGrew, Morgan, Paul, Price, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Sutherland, Thomas, Van Steenwyk, Weaver and Woodman.

The journal of yesterday was approved.

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#### LETTERS, PETITIONS, Etc.

By Senator Morgan:

Pet. No. 24, S.,

Of board of school district No. 3, of the town of Mequon, Ozaukee county, for apportionment of school money.

To committee on Education.

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#### RESOLUTION INTRODUCED.

By Senator Anderson:

Res. No. 19, S.,

*Resolved*, That the State Agricultural Society and State Horticultural Society, in joint convention, be granted the use of the senate chamber to-morrow afternoon, for the reading of papers by the ladies before the joint convention.

Adopted.

## BILLS INTRODUCED.

Read first and second times and referred.

By Senator Haben :

No. 116, S.,

A bill to amend section 1926, chapter 89 of the revised statutes of 1878, entitled of insurance corporations.

To committee on Judiciary.

By Senator Weaver:

No. 117, S.,

A bill to amend section 20 of chapter 5 of the revised statutes of 1878, entitled of electors and general elections.

To committee on Judiciary.

By Senator Richardson:

No. 118, S.,

A bill relating to change of venue, and to provide for the assignment of judges of circuit courts.

To committee on Judiciary.

By Senator Richardson:

No. 119, S.,

A bill to provide for the transfer of Milwaukee county Insane Asylum to the state, and to establish a state hospital for curable insane.

To committee on Charitable and Penal Institutions.

By Senator Thomas:

No. 120, S.,

A bill authorizing the Hamburg Fire Insurance Company to re-insure the Vernon County Scandinavian Mutual Insurance Company.

To committee on Finance, Banks and Insurance.

By Senator Thomas:

No. 121, S.,

A bill to amend chapter 141 of the laws of Wisconsin for 1879, in relation to the distribution of blue books.

To committee on Legislative Expenditures.

By Senator Morgan:

No. 122, S.,

A bill in relation to the apportionment of certain school moneys to district No. 3, of the town of Mequon, in the county of Ozaukee, for the year 1880.

To committee on Education.

By Senator Blackstone:

No. 123, S.,

A bill to amend chapter 299 of the private and local laws of the year 1870, entitled an act to define the several acts and duties of the Beef Slough Manufacturing, Booming, Log Driving and Transportation Company.

To committee on Incorporations.

By Senator Carter:

No. 124, S.,

A bill to amend section 1 of chapter 251 of the laws of 1879, entitled of insurance corporations.

To committee on Finance, Banks and Insurance.

By Senator Paul:

No. 125, S.,

A bill relating to offenses against the lives and persons of individuals, and amendatory of section 4389, chapter 181, revised statutes of 1878.

To committee on Charitable and Penal Institutions.

By Senator Paul:

No. 126, S.,

A bill to provide for laying out and establishing a road from Milwaukee city to Port Washington.

To Milwaukee Delegation.

By Senator Sutherland:

No. 127, S.,

A bill to amend section 680 of the revised statutes, relating to claims against counties.

To committee on Judiciary.

By Senator McGrew:

No. 128, S.,

A bill to preserve the peace and secure good order on fair grounds, at camp meetings and at other places.

To committee on Judiciary.

By Senator Hyde:

No. 129, S.,

A bill to amend chapter 22 of the revised statutes of 1878, entitled of the distribution of public documents.

To committee on Education.

By Senator Blackstone:

No. 130, S.,

A bill to repeal sections 509, 510 and 511 of chapter 27 of the revised statutes, entitled of the purchase and distribution of dictionaries.

To committee on State Affairs.

By Senator Burrows:

No. 131, S.,

A bill to vacate a portion of a certain state road in the county of Dane.

To committee on Roads and Bridges.

By Senator Bennett:

No. 132, S.,

A bill to provide for the appointment of trustees for the control of the public charitable and reformatory institutions of the state,

and defining certain powers thereof, and to provide for the inspection of all reformatory and charitable institutions.

To committee on Charitable and Penal Institutions.

By Senator Griffin:

No. 133, S.,

A bill to authorize W. F. Bailey, Geo. W. Mason, R. J. Kepler and A. S. Dodge, and their associates and assigns, to build and maintain a bridge over and across the Chippewa river.

To committee on Roads and Bridges.

By Senator Griffin:

No. 134, S.,

A bill to amend chapter 231 of the laws of 1876, entitled an act to amend and re-enact, as amended, chapter 333 of the laws of 1875, entitled an act to amend chapter 16 of the private and local laws of 1872, entitled an act to incorporate the city of Eau Claire so as to authorize the construction of water works by and for said city.

To committee on Incorporations.

By Senator McFetridge:

No. 135, S.,

A bill to appropriate to the State Agricultural Society the sum of money therein named.

To committee on Agriculture.

By Senator Griffin:

No. 136, S.,

A bill to authorize D. P. Simons, his associates and assigns, to construct and maintain a dam across and otherwise improve Butternut creek in Pierce county, Wisconsin.

To committee on Incorporations.

By Senator Griffin:

No. 137, S.,

A bill to amend section 2922 of the revised statutes, concerning costs and fees allowed to parties in circuit courts.

To committee on Judiciary.

By Senator Kelly:

No. 138, S.,

A bill to appropriate to the Northern Wisconsin Agricultural and Mechanical Association a sum of money therein named.

To committee on Agriculture.

By Senator Carter:

No. 139, S.,

A bill to amend section 5 of chapter 51 of the general laws of 1866, entitled an act to authorize the use of money arising from the sale of certain swamp and overflowed lands in the counties of Manitowoc and Calumet, for drainage and other purposes, and to amend chapter 537 of the laws of 1865, relating thereto.

To Special Committee consisting of Senators Carter and Rankin.

By Senator Fifield:

No. 140, S.,

A bill to authorize S. S. Vaughn to build and maintain a dam across Long lake, branch of White river, Bayfield county, Wisconsin.

To committee on Incorporations.

By Senator Fifield:

No. 141, S.,

A bill to authorize the commissioners of public lands to loan a portion of the state funds to the town of Loraine, in the county of Polk.

To committee on State Affairs.

By Senator Fifield:

No. 142, S.,

A bill to authorize Alex. Welcome to build and maintain a dam across Long lake, branch of White River in Bayfield county, Wisconsin.

To committee on Incorporations.

By Senator Fifield:

No. 143, S.,

A bill to authorize S. S. Fifield to build and maintain a dam across White river, in Bayfield county, Wisconsin.

To committee on Incorporations.

By Senator Sutherland:

M. C. No. 6, S.,

For an appropriation to pay awards for flowage caused by the United States in the construction and maintenance of the Fox and Wisconsin improvement.

To committee on Federal Relations.

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## REPORTS OF COMMITTEES.

The committee on Incorporations, to whom was referred

No. 18, A.,

A bill to amend an act entitled an act to revise, consolidate and amend the city charter of the city of Fond du Lac, approved March 5, 1879,

Have had the same under consideration, and have instructed me to report the same back with the recommendation that it be concurred in.

GEO. GRIMMER,  
*Chairman.*

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The committee on Engrossed Bills have examined and find correctly engrossed:

No. 65, S.,

A bill relating to the municipal court of the city of Eau Claire, and amendatory of section 10 of chapter 183 of the laws of Wisconsin for 1874, as amended by section 1 of chapter 329 of the laws of Wisconsin for 1878.

GEO. W. RYLAND,  
*Chairman.*

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The special committee consisting of the senators of Milwaukee county, to whom was referred

M. C. No. 5, A.,

Memorial to congress relating to the construction of a harbor of refuge at Milwaukee, Wisconsin,

Have had the same under consideration, and recommend that the same be concurred in.

EDWIN HYDE,  
GEO. H. PAUL,  
I. W. VAN SCHAICK.

. On motion of Senator Hyde,

The rules were suspended, and the memorial was read a third time and concurred in.

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The committee on Charitable and Penal Institutions, to whom was referred

No. 59, S.,

A bill to appropriate to the Institution for the Education of the Blind a sum of money therein named,

Have had the same under consideration, and have instructed me to report the same back with amendments, and the recommendation that it do pass when so amended.

No. 61, S.,

A bill to appropriate to the Institution for the Education of the Deaf and Dumb a sum of money therein named,

Have had the same under consideration, and have instructed me to report the same back with the recommendation that it do pass.

H. RICHARDSON,  
*Chairman.*

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The joint committee on Claims, to whom was referred

No. 13, S.,

A bill to provide for the purchase of Webster's Unabridged Dictionaries,

No. 31, S.,

A bill to provide compensation for completing the transcribing of the senate and assembly journals,

No. 36, S.,

A bill to appropriate the sum of five hundred dollars to the Wisconsin Dairymen's Association,

Have had the same under consideration, and instructed me to report the same back with the recommendation that they do pass.

WM. T. PRICE,  
*Chairman.*

---

The committee on Enrolled Bills have examined and find correctly enrolled,

No. 28, S.,

A bill to authorize the commissioners of public lands of the state of Wisconsin to extend the time of payment of the loan made from the trust funds of the state to school district No. 12, in the town of Darlington, formerly town of Center.

GEO. E. SUTHERLAND,  
*Chairman.*

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#### RESOLUTIONS CONSIDERED.

Jt. Res. No. 6, S.,

In regard to withdrawal of legal tender character of United States notes,

Was indefinitely postponed.

The amendments to

Jt. Res. No. 8, S.,

In relation to financial legislation in congress,

Were adopted, and the resolution as amended was adopted.

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#### BILLS ON THEIR ENGROSSMENT AND THIRD READING.

No. 26, S.,

A bill to authorize Jes. Ericksen and E. C. Manger to maintain a boom in Kewaunee river, in Kewaunee county,

Was ordered engrossed and read a third time.

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On motion of Senator Kellogg,  
The senate adjourned.

THURSDAY, FEBRUARY 5, 1880.

10 o'CLOCK A. M.

The senate met.

The president in the chair.

Prayer by the Rev. Mr. Wright.

The roll was called, and the following senators answered to their names:

Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, Kelly, McFetridge, McGrew, Morgan, Paul, Price, Quarles, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Sutherland, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman.

The journal of yesterday was approved.

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Senator Dering moved that when the senate adjourn, it be until 8 o'clock this evening,

Which motion prevailed.

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### COMMUNICATIONS.

STATE OF WISCONSIN,

*Department of State,*

MADISON, *February 5, 1880.*

HON. JAMES M. BINGHAM,

*President of the Senate:*

SIR: In compliance with the provisions of section 147 of the revised statutes, I have the honor to transmit herewith to the legislature the following claim against the state, requiring legislative action, to wit:

Claim of Kenosha county for \$329.34.

This claim, if allowed, will be chargeable to the general fund.

Very respectfully,

Your obedient servant,

HANS B. WARNER,

*Secretary of State.*

STATE OF WISCONSIN,

*Department of State,*

MADISON, *February 5, 1880.*

HON. JAMES M. BINGHAM,

*President of the Senate:*

SIR: In compliance with the provisions of section 147 of the revised statutes, I have the honor to transmit herewith to the legislature the following claim against the state, requiring legislative action, to wit:

Claim of Dodge county for \$1,081.11.

This claim, if allowed, will be chargeable to the general fund.

Very respectfully,

Your obedient servant,

HANS B. WARNER,

*Secretary of State.*

STATE OF WISCONSIN,

*Department of State,*

MADISON, *February 4, 1880.*

HON. JAMES M. BINGHAM,

*President of the Senate:*

SIR: In compliance with the provisions of section 147 of the revised statutes, I have the honor to transmit herewith to the legislature the following claims against the state requiring legislative action, to wit:

1. Claim of George B. McMillan for \$225.83.

2. Claim of D. Wetherby and Wm. James for \$3,053.00.

These claims, if allowed, are chargeable to the general fund.

Very respectfully,

Your obedient servant,

HANS B. WARNER,

*Secretary of State.*

The accounts were referred to the committee on Claims.

## LETTERS, PETITIONS, Etc.

By Senator Ryland:

Pet. No. 25, S.,

Of Jared Warner and 27 other residents of Grant county, in favor of taxation of church property.

To committee on State Affairs.

By Senator Ryland:

Pet. No. 26, S.,

Of Jared Warner and others against the passage of bill No. 29, A., to prevent unqualified persons from practicing medicine and surgery in the state of Wisconsin.

To committee on State Affairs.

By Senator Woodman:

Pet. No. 27, S.,

Of the State Historical Society for the amendment of section 375, chapter 24, of the revised statutes.

To committee on Printing.

By Senator McGrew:

Pet. No. 28, S.,

Of O. L. Pound and 19 other citizens of Crawford county, relating to a state road in said county.

To committee on Roads and Bridges.

By Senator Fifield:

Pet. No. 29, S.,

Of the county board of Ashland county for biennial sessions of the legislature.

To committee on State Affairs.

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## RESOLUTIONS INTRODUCED.

By Senator Woodman:

Jt. Res. No. 12, S.,

Providing for amendment to the state constitution regulating salaries of the state legislature.

*Resolved by the senate, the assembly concurring,* That section 21, article IV of the constitution, be amended by striking out the words "three hundred and fifty" and inserting the words "four hundred" in lieu thereof; also by striking out the words "in case of an extra session of the legislature" and by adding at the end of the section the words "whether in money or allowances," so that said section when amended will read as follows: Each member of the legislature shall receive for his services four hundred dollars per annum, and ten cents for every mile he shall travel in going to and returning from the place of the meetings of the legislature on the most usual route. No additional compensation shall be allowed to any member thereof, either directly or indirectly, whether in money or allowances.

Referred to Judiciary committee.

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## BILLS INTRODUCED.

Read first and second times and referred.

By Senator Anderson:

No. 144, S.,

A bill to amend section 1979 of chapter 90 of the revised statutes of 1878, relating to organization for protection against fire.

To committee on Finance, Banks and Insurance.

By Senator Kellogg:

No. 145, S.,

A bill in relation to swamp lands in the counties of Marathon, Chippewa, Clark, Shawano, Oconto and Marinette.

To committee on Public Lands.

By Senator Quarles:

No. 146, S.,

A bill to appropriate to the county of Kenosha a certain sum of money therein named.

To committee on Claims.

By Senator Bennett:

No. 147, S.,

A bill to appropriate the sum of one thousand dollars to the Central Wisconsin Agricultural and Mechanical Association.

To committee on Claims.

No. 148, S.,

A bill to provide for the collection of statistics of pauperism and crime.

To committee on Charitable and Penal Institutions.

By Senator Paul:

No. 149, S.,

A bill to preserve and promote the public health in the city of Milwaukee.

To a special committee consisting of the Milwaukee senators.

By Senator Paul:

No. 150, S.,

A bill for the more effectual prevention of cruelty to children and animals.

To Milwaukee Delegation.

By Senator Paul:

No. 151, S.,

A bill to confer certain police powers upon agents of the Wisconsin Humane Society.

To committee on Judiciary.

By Senator Paul:

No. 152, S.,

A bill amendatory of chapter 217, laws of 1874, entitled an act to appropriate to James Reynolds and John Fellenz a sum of money therein named, and to authorize them to bring an action against the state for the amount of their claim not covered by such appropriation.

To committee on Judiciary.

By Senator Paul:

No. 153, S.,

A bill relating to the Milwaukee Industrial School for Girls.

To Milwaukee Delegation.

By Senator Blackstone:

No. 154, S.,

A bill to appropriate to the Bell Telephone Company of Madison, Wisconsin, a sum of money therein named.

To committee on Claims.

By Senator Bennett:

No. 155, S.,

A bill to correct and fix the boundaries between the county of New and the county of Shawano, and for the separate organization of the county of New, and to repeal such portions of sections 12, 13, 14 and 15, of chapter 114 of the general laws of 1879, as conflict with this act.

To committee on Town and County Affairs.

By Senator Van Schaick:

No. 156, S.,

A bill to provide for the erection of a county hospital for the county of Milwaukee.

To Milwaukee Delegation.

By Senator Thomas:

No. 157, S.,

A bill relating to remedies supplementary to execution, and amendatory of section 3033 of the revised statutes.

To committee on Judiciary.

By Senator Thomas:

No. 158, S.,

A bill authorizing judgments of the supreme court to be docketed in the circuit court.

To committee on Judiciary.

By Senator Price:

No. 159, S.,

A bill to aid the Eastern Monroe Agricultural Society.

To committee on Agriculture.

By Senator Price:

No. 160, S.,

A bill to authorize A. E. Sawyer, Daniel Austin and Richard Dewhurst to build and maintain a dam across Black river.

To committee on Incorporations.

By Senator Kellogg:

No. 161, S.,

A bill to provide for the better accommodation of the incurably insane of Waupaca county.

To a special committee consisting of Senator Kellogg.

By Senator Kellogg:

No. 162, S.,

A bill to amend the charter of Wausau Boom Company.

To special committee consisting of Senator Kellogg.

By Senator Haben:

No. 163, S.,

A bill to appropriate to the Northern Hospital for the Insane certain sum of money therein named.

To committee on Charitable and Penal Institutions.

By Senator Houghton:

No. 164, S.,

A bill in relation to costs and fees, and amendatory of section 252 of the revised statutes of 1878.

To committee on Judiciary.

By Senator Burrows:

No. 165, S.,

A bill to amend section 1 of chapter 160 of the laws of 1873, relating to the charter of the city of Madison.

To special committee consisting of Senator Burrows.

By Senator Burrows:

No. 166, S.,

A bill to amend section 14 of chapter 11 of chapter 500 of the private and local laws of 1868, entitled an act to consolidate and amend an act to incorporate the city of Madison, and the several acts amendatory thereof.

To special committee consisting of Senator Burrows.

By Senator Burrows:

No. 167, S.,

A bill to consolidate and amend an act entitled an act to incorporate the city of Madison, and the several acts amendatory thereof.

To special committee consisting of Senator Burrows.

By Senator Burrows:

No. 168, S.,

A bill relating to the opening of streets and alleys in the city of Madison, and to repeal chapter 5 of chapter 500 of the private and local laws of 1868.

To special committee consisting of Senator Burrows,

By Senator Dering:

No. 169, S.,

A bill to amend section 1795 of the revised statutes, relating to corporations.

To committee on Railroads.

By Senator Kellogg:

No. 170, S.,

A bill to amend section 2918 of chapter 129 of the revised statutes, entitled of costs and fees allowed to parties in circuit courts.

To committee on Judiciary.

By Senator McGrew:

No. 171, S.,

A bill to fix a salary for sheriffs.

To committee on Judiciary.

By Senator Haben:

No. 172, S.,

A bill to amend section 1797 of the revised statutes, in relation to the salary of the clerk of the railroad commissioner.

To committee on Judiciary.

By Senator Dering:

No. 173, S.,

A bill providing for the erection of an institute for the deaf and dumb on the site of old Fort Winnebago.

To committee on Charitable and Penal Institutions.

By Senator Sutherland:

No. 174, S.,

A bill to repeal certain provisions of section 2478 of the revised statutes, relating to juries in county courts.

To committee on Judiciary.

By Senator Griffin:

No. 175, S.,

A bill construing section 1210 e of the revised statutes of 1878, entitled of taxation.

To committee on Judiciary.

By Senator Griffin:

No. 176, S.,

A bill to repeal section 4073 of chapter 176 of the revised statutes, entitled of evidence.

To committee on Judiciary.

By Senator Griffin:

No. 177, S.,

A bill to authorize John H. Knapp, Henry B. Stout, Andrew Tainter, William Wilson, Thomas B. Wilson and John H. Douglass, and their associates, successors and assigns, to erect and maintain a dam across the Red Cedar river, on lands owned by the Knapp, Stout & Co. Company.

To committee on Incorporations.

By Senator Griffin:

No. 178, S.,

A bill to authorize Delos R. Moon, his associates or assigns, to improve Wolf river, a tributary of the north fork of the Eau Claire river, in the counties of Clark, Chippewa and Eau Claire.

To committee on Incorporations.

By Senator Griffin:

No. 179, S.,

A bill to authorize Delos R. Moon, his associates or assigns, to improve Muskrat river, a tributary of the Eau Claire river, in the county of Eau Claire.

To committee on Incorporations.

By Senator Griffin:

No. 180, S.,

A bill to authorize Delos R. Moon, his associates or assigns, to improve Otter creek, a tributary of Wolf river, in the counties of Clark and Chippewa.

To committee on Incorporations.

By Senator Griffin:

No. 181, S.,

A bill to amend chapter 231 of the laws of 1876, entitled an act to amend and re-enact as amended, chapter 333 of the laws of 1875, entitled an act to amend chapter 16 of the private and local laws of 1872, entitled an act to incorporate the city of Eau Claire, so as to authorize the construction of water works by and for said city.

To committee on Incorporations.

By Senator Griffin:

No. 182, S.,

A bill to provide for draining wet or swamp lands and lead or coal mines.

To committee on Agriculture.

By Senator Quarles:

No. 183, S.,

A bill relating to the equalization of assessments.

To committee on Judiciary.

By Senator McFetridge:

No. 184, S.,

A bill to allow general accident insurance companies to do business in this state.

To committee on Finance, Banks and Insurance.

By Senator Kellogg:

No. 185, S.,

A bill for the division of the counties of Clark and Marathon, and for the erection of the county of Webster.

To committee on Town and County Organization.

By Senator Woodman:

No. 186, S.,

A bill in relation to the State Historical Society, and appropriating a sum of money.

To committee on Printing.

By Senator Fifield:

No. 187, S.,

A bill to legalize the action of the board of supervisors of the county of Polk, in setting off and creating the town of Georgetown, in said county.

To committee on Town and County Affairs.

By Senator Fifield:

No. 188, S.,

A bill to authorize the Chicago, St. Paul & Minneapolis Railway

Company to abandon, under certain conditions, that portion of its railway lying between North Wisconsin Junction and the St. Croix Lake.

To committee on Railroads.

By Senator Fifield:

No. 189, S.,

A bill to grant sixty days additional time to the North Wisconsin Railway Company for the completion of a portion of the railway, and to confer on aforesaid company the optional right therein mentioned.

To committee on Railroads.

By Senator Fifield:

No. 190, S.,

A bill to authorize Oscar F. Knapp to keep and maintain a ferry across the St. Croix river between the town of Osceola Mills, Wisconsin, and Minnesota.

To committee on Incorporations.

By Senator Fifield:

No. 191, S.,

A bill to repeal sections 5 and 6 of chapter 192 of the general laws of 1879, in relation to game.

To committee on State Affairs.

By Senator Scott:

No. 192, S.,

A bill to amend chapter 171 of the private and local laws of 1868, entitled an act to incorporate the Wisconsin River Improvement Company, and to amend chapter 298 of the laws of 1876, amendatory thereof.

To committee on Incorporations.

By Senator Scott:

No. 193, S.

A bill to amend section 670 of the revised statutes of 1878 and chapter 190 of the general laws of 1879, relating to the organization of towns.

To committee on Town and County Organization.

By Senator Scott:

No. 194, S.,

A bill to authorize the commissioners of public lands to loan a portion of the trust funds of the state to the county of Lincoln.

To committee on State Affairs.

By Senator Griffin:

No. 195, S.,

A bill to improve Muskrat and Hay creeks, tributaries of the Eau Claire river in Eau Claire and Chippewa counties, and for driving logs out of said creeks.

To special committee consisting of Senator Griffin. Ordered not printed.

By Senator Griffin:

No. 196, S.,

A bill to improve Hay creek, a branch of the Eau Claire river, in the county of Clark, for driving logs out of said creek.

To special committee consisting of Senator Griffin. Ordered not printed.

By Senator Woodman:

No. 197, S.,

A bill to repeal section 2455 of the revised statutes of 1878, relating to county judges.

To committee on Judiciary.

By Senator Woodman:

No. 198, S.,

A bill to repeal sections 113 to 117, inclusive, of revised statutes of 1878, relating to the legislature.

To committee on Legislative Expenditures.

By Senator Houghton:

No. 199, S.,

A bill to repeal chapter 205 of the laws of Wisconsin of 1879, entitled an act to limit the number of terms to which a person may be eligible to the office of county treasurer.

To committee on Judiciary.

By Senator Burrows:

No. 200, S.,

A bill to amend chapter 58 of the private and local laws of 1859, entitled an act to incorporate the Madison Gymnastic Association.

To committee on Incorporations.

By Senator Anderson:

No. 201, S.,

A bill to amend section 1480 of the revised statutes of 1878, relating to the prevention of the spread of noxious weeds.

To committee on Agriculture.

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## REPORTS OF COMMITTEES.

The committee on Engrossed Bills have examined and find correctly engrossed,

No. 41, S.,

A bill to amend chapter 141, laws of 1879, entitled an act to amend section 121, chapter 10, revised statutes of 1878, in relation to the distribution of blue books.

No. 26, S.,

A bill to authorize Jes. Ericksen and E. C. Manger to maintain a boom in Kewaunee river, in Kewaunee county.

GEO. W. RYLAND,  
*Chairman.*

The committee on Incorporations, to whom was referred

No. 30, S.,

A bill to authorize A. D. Lunt and P. M. Musser to build a dam across and otherwise improve Elk river, in Price county, for log driving purposes,

No. 110, S.,

A bill to authorize Henry L. Stout, John H. Douglass, William Wilson, John H. Knapp, Andrew Tainter, Thomas B. Wilson, their associates, successors and assigns, to erect and maintain a dam across Hemlock creek, in Barron county, on land owned by the Knapp, Stout & Co. Company,

No. 113, S.,

A bill to authorize Thos. B. Wilson, Andrew Tainter, William Wilson, Henry L. Stout, John H. Knapp, John H. Douglass, their associates, successors and assigns, to erect and maintain a dam across Hemlock creek, in Chippewa county, on lands owned by the Knapp, Stout & Co. Company,

Have had the same under consideration, and report them back with amendments, and recommend that when so amended they do pass.

No. 109, S.,

A bill to authorize Wm. Wilson, Andrew Tainter, John H. Knapp, Henry L. Stout, Thomas B. Wilson and John L. Douglass, their associates, successors and assigns, to construct and maintain a dam across Hay river, in Barron county, on land owned by the Knapp, Stout & Co. Company,

No. 112, S.,

A bill to authorize John H. Knapp, Andrew Tainter, Thomas B. Wilson, Henry L. Stout, William Wilson, John H. Douglass, their associates, successors and assigns, to construct and maintain a dam across Hemlock creek, in Chippewa county, on lands owned by the Knapp, Stout & Co. Company,

Have had the same under consideration, and have instructed me to report the same back with the recommendation that they do pass.

GEO. GRIMMER,  
*Chairman.*

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The committee on State Affairs, to whom was referred

No. 66, S.,

A bill to extend the time limited in chapter 281, private and local laws of 1870, entitled an act to authorize Deidrich Van Hollen to keep and maintain a ferry across the St. Croix river,

No. 85, S.,

A bill to authorize the commissioners of public lands to loan a portion of the trust funds of the state to the town of Shullsburg, in La Fayette county,

Have had the same under consideration, and report them back with the recommendation that they do pass.

No. 11, A.,

A bill to authorize commissioners of the public lands to loan a portion of the trust funds of the state to the town of Kewaunee, in the county of Kewaunee,

Have had the same under consideration, and report it back to the senate with the recommendation that it be concurred in.

And have had under consideration

No. 74, S.,

A bill exempting the sale of sewing machines and musical instruments from license under chapter 67 of the revised statutes,

And report it back to the senate with the recommendation that it be indefinitely postponed.

GEO. B. BURROWS,  
*Chairman.*

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The committee on Judiciary, to whom was referred

No. 44, S.,

A bill relating to the acquisition of land by eminent domain,

No. 75, S.,

A bill to amend section 4679 of the revised statutes, relating to change of venue in criminal cases,

Have had the same under consideration, and instruct me to report the same back with the recommendation that they be indefinitely postponed.

No. 71, S.,

A bill to legalize the acts of L. S. Rolleston, county clerk in and for the county of Columbia,

No. 72, S.,

A bill authorizing the towns of Sigel and Flambeau in Chippewa county, Wisconsin, to levy a special tax for the purpose of paying off certain bonds, and empowering the board of supervisors of Chippewa county to adjust the indebtedness of said towns,

No. 84, S.,

A bill to legalize the official acts of Alois Neuburg, a justice of the peace in the county of La Crosse,

Have had the same under consideration and instruct me to report the same back with the recommendation that they do pass.

No. 48, S.,

A bill to amend section 4415, revised statutes 1878, relating to punishment for larceny,

Have had the same under consideration, and have instructed me to report the same back with amendment, and recommend its passage when so amended.

No. 27, S.,

A bill to amend section 4771 of the revised statutes of 1878, in relation to security of costs in criminal cases,

Have had the same under consideration, and instruct me to report the same back with an amendment; passage recommended when so amended.

H. E. HOUGHTON,  
*Chairman.*

## REPORTS OF SELECT COMMITTEES.

The select committee, consisting of the senators of Milwaukee county, to whom was referred

No. 63, A.,

A bill to authorize the levy and collection of a special tax in the second ward of the city of Milwaukee,

No. 75, A.,

A bill to authorize the levy and collection of a special tax in the ninth ward of the city of Milwaukee,

No. 88, A.,

A bill to authorize the levy and collection of a special tax in the tenth ward of the city of Milwaukee,

Have had the same under consideration, and report them back with the recommendation that they be concurred in.

EDWIN HYDE,

GEO. H. PAUL,

I. W. VAN SCHAICK.

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BILLS READY FOR A THIRD READING.

No. 65, S.,

A bill relating to the municipal court of the city of Eau Claire, and amendatory of section 10 of chapter 183 of the laws of Wisconsin for 1874, as amended by section 1 of chapter 329 of the laws of Wisconsin for 1878,

Was read a third time and passed.

No. 18, A.,

A bill to amend an act entitled an act to revise, consolidate and amend the city charter of the city of Fond du Lac, approved March 5, 1879,

Was read a third time and concurred in.

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BILLS ON THEIR ENGROSSMENT AND THIRD READING.

No. 31, S.,

A bill to provide compensation for completing the transcribing of the senate and assembly journals,

No. 36, S.,

A bill to appropriate the sum of five hundred dollars to the Wisconsin Dairymen's Association,

Were ordered engrossed and read a third time.

No. 59, S.,

A bill to appropriate to the Institution for the Education of the Blind a sum of money therein named,

With pending amendments, was recommitted to the committee on Claims.

No. 61, S.,

A bill to appropriate to the Institution for the Education of the Deaf and Dumb a sum of money therein named,

Was recommitted to the committee on Claims.

No. 13, S.,

A bill to provide for the purchase of Webster's Unabridged Dictionaries,

Was recommitted to the committee on Education.

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On motion of Senator Price,  
The senate adjourned.

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THURSDAY, FEBRUARY 5, 1880.

8 o'CLOCK P. M.

The senate met.

The president in the chair.

The roll was called, and the following senators answered to their names:

Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, Kelly, McFetridge, McGrew, Morgan, Paul, Price, Quarles, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Sutherland, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman.

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#### LEAVE OF ABSENCE

Was granted to Senator Grimmer until Wednesday morning.

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#### COMMUNICATIONS.

*To the honorable, the senate and assembly of the state of Wisconsin:*

The undersigned, late treasurer of the Wisconsin State Hospital for the Insane, begs leave to represent, that in defending the suit brought by the state against him and his sureties, he set up a counter-claim for services rendered to the state, as treasurer of said hospital, for what such services were reasonably worth, to which the state has interposed the statute of limitation, as a bar to a greater part of said claim.

The undersigned therefore most respectfully asks, that if the measure of relief now pending should fail to become a law, an act

may be passed allowing the court to consider such claim at what such services were fairly and reasonably worth, without any part thereof being prejudiced or barred by the statute of limitation.

Respectfully submitted,

SIMEON MILLS.

Referred to the Judiciary committee.

STATE OF WISCONSIN,

*Department of State,*

MADISON, *February 5, 1880.*

HON. JAMES M. BINGHAM,

*President of the Senate:*

SIR: In compliance with the provisions of section 147 of the revised statutes, I have the honor to transmit herewith to the legislature the following claim against the state requiring legislation, to wit:

Claim of D. G. Cheever for \$16.56. This claim, if allowed, will be chargeable to the general fund.

Very respectfully,

Your obedient servant,

HANS B. WARNER,

*Secretary of State.*

The account was referred to the committee on Claims.

## LETTERS, PETITIONS, Etc.

By Senator Fifield:

Pet. No. 30, S.,

Of John H. Knight, R. D. Pike, P. W. Smith, Fred Fisher, J. J. Miles, Thomas Bardon, H. Spille and other citizens of Ashland and Bayfield counties, asking to have the counties of Ashland and Bayfield attached to the 7th judicial circuit.

To special committee of Senator Fifield.

## RESOLUTIONS INTRODUCED.

By Senator Burrows:

Jt. Res. No. 13, S.,

*Resolved by the senate, the assembly concurring,* That the gift of ex-Governor C. C. Washburn, of his residence at Edgewood, be accepted and used by the state as a school for dependent or homeless children, or for such other purpose as may be approved of by the donor.

*Resolved further,* That Governor Smith be authorized and di-

rected to take such formal action as may be necessary to secure the title to the state of the property mentioned, for the purpose authorized by this resolution.

Lies over.

By Senator Kelly:

Jt. Res. No. 14, S.,

Joint resolution for the final adjustment of the demand therein mentioned,

*Resolved by the senate, the assembly concurring,* That the secretary of state is hereby authorized and required to audit the amount remaining due to M. L. Martin of the award of the commissioners appointed under chapter 243, laws of 1873, and filed in the office of the secretary July 3d, 1874, deducting therefrom such sum as may have heretofore been paid thereon; and to draw his warrant on the state treasurer for the sum so found due, as provided in and by the act of 1873, above referred to: *provided*, that upon payment thereof, the claimant shall execute and deliver to said person a receipt in full of said award, and of all demands arising out of the contract therein referred to.

By Senator Blackstone:

Res. No. 20 S.,

Relating to amendment of criminal code.

*Resolved*, That the Judiciary committee of the senate are hereby instructed to report bills amending and perfecting the criminal law, as follows:

1. Amending section 4733 of the revised statutes, by adding after the word "sentence," in the third line of said section, the words "except that where the convict has been convicted of several distinct offenses, before the same court, the court may give judgment upon each of said convictions, and, in doing so, may lawfully direct that each term of imprisonment, after the first, shall commence at the expiration of that for another, and so on, until all the terms have expired."

2d. Amending section 4490, by adding after the word "prison." in the first line thereof, the words "the house of correction of Milwaukee county," and section 4494, by inserting after the word "prison" in the second line of said section, the words "or in the house of correction of Milwaukee county."

3d. Also a bill providing for a new section of the criminal code in substance as follows:

"Section ——. When satisfactory proof is made by affidavit to any judge of a court of record of this state, or to any court commissioner thereof, having authority to commit offenders for trial on criminal charges, on motion of the district attorney for the county in which such offender is held for trial upon commitment, information, indictment or otherwise, that such offender previously admitted to bail is about to abscond, and that his bail is insufficient, the said judge or court commissioner shall require such offender to give better security, or, in default thereof, cause him

to be committed to prison, and an order for his arrest may be indorsed on the former commitment, or a new warrant therefor may be issued, by such judge or court commissioner, setting forth the cause thereof."

4th. Amending section 4423, by adding after the word "property," in the fourth line thereof, the words "or the use thereof, or any credit or trust," and by adding after the words "dollars" at the end of said section, the following: "If the value of such money, goods, wares, merchandise or other property, or the use thereof, or such credit or trust shall exceed the sum of fifty dollars; and if the value thereof shall not exceed fifty dollars, he shall be punished by imprisonment in the county jail, not exceeding six months, or by fine not exceeding one hundred dollars, or by both, in the discretion of the court."

5th. Amending section 1543, by adding after the word "alms," the following: "all common prostitutes; all gamblers; all persons selling any lottery ticket or tickets, or vending or dealing in policy, or numbers of policy, or receiving any money or thing of value upon or for any policy or numbers of policy, whether the lottery, policy or numbers be real or fictitious; all persons who threaten to run away, or who do run away or abscond, or leave their wives or children without proper or sufficient support; all persons who refuse to work for the usual and common wages given to other laborers in like work, in the towns, cities, villages or places where they then are; all common railers or brawlers, such as neglect their callings and employments, misspend what they earn, and do not provide for themselves, or the support of their families; and all persons having in their care, custody or control, or in any premises occupied by them, any nippers, bits, drills, files, skeleton keys, devised or intended for the use of burglars, or any other burglar's tools or implements; and all known burglars and thieves."

6th. Amending section 4667 by adding thereto the following: "This section shall apply to every offense of embezzlement mentioned in section 4418 of the revised statutes."

7th. Repealing section 4623.

On motion of Senator Price,

The resolution was laid over until Monday.

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### BILLS INTRODUCED.

Read first and second times and referred.

By Senator Price:

No. 202, S.,

A bill to amend section 12 of chapter 84 of the private and local laws of 1864, entitled an act to incorporate the Black River Improvement Company, approved February 23, 1865.

To committee on Incorporations.

By Senator Fifield:

No. 203, S.,

A bill to authorize the counties, towns, cities and school districts of this state to purchase the work therein mentioned.

To special committee consisting of Senator Fifield. Ordered not printed.

By Senator Fifield:

No. 204, S.,

A bill to amend section 1192 of chapter 50 of the revised statutes, entitled land sold for taxes.

To special committee consisting of Senator Fifield. Ordered not printed.

By Senator Fifield:

No. 205, S.,

A bill to amend section 948 of chapter 41 of the revised statutes of 1878, entitled general provisions relating to municipalities.

To special committee consisting of Senator Fifield. Ordered not printed.

By Senator Fifield:

No. 206, S.,

A bill to authorize John A. Humbird, Wm. H. Phipps, P. B. Jewell and their associates and assigns, to construct and maintain a boom in the St. Croix Lake.

To special committee consisting of Senator Fifield. Ordered not printed.

By Senator Fifield:

No. 207, S.,

A bill to restore the common law in certain cases.

To special committee consisting of Senator Fifield. Ordered not printed.

By Senator Fifield:

No. 208, S.,

A bill to repeal section 1816 of chapter 87 of the revised statutes of 1878, entitled of railroads.

To select committee consisting of Senator Fifield. Ordered not printed.

By Senator Fifield:

No. 209, S.,

A bill to attach the counties of Ashland and Bayfield to the seventh judicial circuit, and fixing the time for holding terms of court in said counties.

To a special committee consisting of Senator Fifield. Ordered not printed.

By Senator Quarles:

No. 210, S.,

A bill to amend subdivision 3 of section 2586 of the revised statutes of 1878, relating to admissions to the bar.

To committee on Judiciary.

By Senator Sutherland:

No. 211, S.,

A bill to amend chapter 2 of chapter 12 of the private and local laws of 1858, entitled an act to incorporate the city of Ripon.

To committee on Incorporations.

By Senator Sacket:

No. 212, S.,

A bill to legalize the actions of Deutsche Gegenseitige-Farmer-Feuer Versicherungs-Gesellschaft von Town Mishicott, Manitowoc county, Wisconsin, being a town insurance company organized under the laws of the state of Wisconsin, and located in the town of Mishicott, Manitowoc county, Wisconsin.

To a select committee consisting of Senator Rankin. Ordered not printed.

By Senator Sutherland:

No. 213, S.,

A bill to amend chapter 3 of chapter 72 of the private and local laws of 1858, entitled an act to incorporate the city of Ripon.

To committee on Incorporations.

By Senator Scott:

No. 214, S.,

A bill to legalize the action of the board of supervisors of Lincoln county.

To committee on Judiciary.

By Senator Scott:

No. 215, S.,

A bill to authorize M. P. Beebe, his associates and assigns, to erect and maintain a dam across and make other improvements in Price river in Lincoln county.

To committee on Incorporations.

By Senator Scott:

No. 216, S.,

A bill to authorize the Jenny Boom Company to maintain booms in the Wisconsin river.

To committee on Incorporations.

By Senator Scott:

No. 217, S.,

A bill to amend the subdivisions entitled additional powers of peculiar corporations, of chapter 86 of the revised statutes of Wisconsin, entitled of the organization of corporations.

To committee on Incorporations.

By Senator Paul:

No. 218, S.,

A bill relating to the board of state canvassers, and amendatory of section 58 of chapter 5 of the revised statutes of 1878.

To committee on Judiciary.

By Senator Van Steenwyk:

No. 219, S.,

A bill to amend section 1 of chapter 80 of private and local laws of 1855, entitled an act supplementary to an act to incorporate the Milwaukee Mechanics' Mutual Insurance Company, relating to restrictions in the bringing of suits.

To committee on Judiciary.

By Senator Bennett:

No. 220, S.,

A bill to amend section 1798, chapter 87, revised statutes of 1878, entitled of railroads.

To select committee consisting of Senator Bennett. Ordered not printed.

By Senator Kellogg:

No. 221, S.,

A bill to amend section 131 of the revised statutes, relating to sheriffs' fees.

To committee on Judiciary.

By Senator Chipman:

No. 222, S.,

A bill to amend chapter 35, laws of 1879, entitled an act regulating the use and improvement of stock.

To committee on Agriculture.

By Senator Dering:

No. 223, S.,

A bill relating to and amendatory of the charter of the city of Portage.

To special committee consisting of Senator Dering. Ordered not printed.

By Senator Dering:

No. 224, S.,

A bill relating to the payment and collection of taxes by county treasurers, and amendatory of section 1121 of the revised statutes.

To committee on Judiciary.

By Senator Dering:

No. 225, S.,

A bill in relation to fences, and to amend section 1391 of the revised statutes of 1878.

To committee on Judiciary.

By Senator Dering:

No. 226, S.,

A bill relating to fees and costs, and to amend the revised statutes of 1878.

To committee on Judiciary.

By Senator Quarles:

No. 227, S.,

A bill to amend section 2731 of the revised statutes of 1878, relating to proceedings by attachment.

To committee on Judiciary.

By Senator Quarles:

No. 228, S.,

A bill to amend chapter 407 of the private and local laws of 1868, entitled an act to enable the city of Kenosha to readjust and fund its indebtedness.

To committee on Judiciary.

By Senator Quarles:

No. 229, S.,

A bill to appropriate to R. R. Fallows a sum of money therein named.

To committee on Claims.

By Senator Kelly:

No. 230, S.,

A bill to appropriate a sum of money therein named for the erection in the county of Brown, upon a suitable site to be donated by the citizens of the said county, of an institution for the education of the deaf and dumb.

To committee on Charitable and Penal Institutions.

By Senator Kelly:

No. 231, S.,

A bill to amend section 2424 of the revised statutes, relating to the time of holding court in Brown county.

To committee on Judiciary.

By Senator Kellogg:

No. 232, S.,

A bill to appropriate a sum of money therein named to the Horticultural Society.

To joint committee on Claims.

By Senator Kelly:

No. 233, S.,

A bill to authorize the commissioners of school and university lands to loan a portion of the trust funds to the town of Lincoln, Trempealeau county.

To committee on State Affairs.

By Senator Kelly:

No. 234, S.,

A bill to appropriate a sum of money therein named for the purchase of a building or buildings located in the county of Brown, to be used as an institution for the education of the deaf and dumb, and for the fitting up of such building or buildings, and for the maintenance of such institution until March 1, 1881.

To committee on Charitable and Penal Institutions.

By Senator Woodman:

No. 235, S.,

A bill relating to the law of libel.

To select committee consisting of Senator Woodman. Ordered not printed.

By Senator Woodman:

No. 236, S.,

A bill in relation to killing game for scientific purposes.

To select committee consisting of Senator Woodman. Ordered not printed.

By Senator Woodman:

No. 237, S.,

A bill relating to pardon of persons convicted of crime.

To special committee consisting of Senator Woodman. Ordered not printed.

By Senator Anderson:

No. 238, S.,

A bill to provide a more equitable assessment of property, and to prevent double taxation of same.

To special committee consisting of Senator Anderson. Ordered not printed.

By Senator Anderson:

No. 239, S.,

A bill to authorize mutual hail insurance companies of other states to do business in this state.

To committee on Finance, Banks and Insurance

By Senator Carter:

No. 240, S.,

A bill to amend chapter 89, laws of 1877, entitled an act to incorporate the city of Chilton.

To special committee consisting of Senator Carter. Ordered not printed.

By Senator Hyde:

No. 241, S.,

A bill to establish the superior court of Milwaukee county, to repeal the civil jurisdiction of the county court of said county and to provide salaries for the judges of said superior and county courts.

To Milwaukee Delegation.

By Senator Sutherland:

No. 242, S.,

A bill relating to actions for libel, and the remedies and penalties therefor.

To special committee consisting of Senator Sutherland. Ordered not printed.

By Senator Hyde:

No. 243, S.,

A bill pertaining to and amendatory of the charter of the city of Milwaukee.

To select committee consisting of Senator Hyde. Ordered not printed.

By Senator Griffin:

No. 244, S.,

A bill to amend section 4564 of chapter 185 of the revised statutes of 1878, entitled of offenses against public policy.

To committee on Judiciary.

By Senator Sutherland:

No. 245, S.,

A bill to amend chapter 124 of the revised statutes, relating to attachment.

To select committee consisting of Senator Sutherland. Ordered not printed.

By Senator Griffin:

No. 246, S.,

A bill to authorize Joseph S. Wilson, his associates and assigns, to construct and maintain a boom and piers in the Chippewa river in the city of Eau Claire.

To committee on Incorporations.

By Senator Burrows:

No. 247, S.,

A bill relating to jurisdiction of justices of the peace in civil actions, and to amend sections 3568, 3569, 3616 and 3617 of the revised statutes of 1878.

To committee on Judiciary.

By Senator Burrows:

No. 248, S.,

A bill relating to the competency of witnesses in certain cases.

To committee on Judiciary.

By Senator Burrows:

No. 249, S.,

A bill to amend section 1570 of chapter 67 of the revised statutes of 1878, relating to peddlers.

To committee on State Affairs.

By Senator Burrows:

No. 250, S.,

A bill to amend section 129 of chapter 11 of the revised statutes, entitled of the state officers.

To committee on State Affairs.

By Senator Burrows:

No. 251, S.,

A bill to amend section 422 of the revised statutes, relating to the alteration of school districts.

To committee on Education.

By Senator McFetridge:

No. 252, S.,

A bill to define and fix the liabilities of persons or corporations owning or running sleeping cars within this state.

To committee on Judiciary.

By Senator Sacket:

No. 253, S.,

A bill amending section 1220, chapter 51 of the revised statutes, in relation to license fees of life and accidental insurance companies doing business in the state of Wisconsin.

To committee on Finance, Banks and Insurance.

By Senator Chipman:

No. 254, S.,

A bill to amend section 1213 of the revised statutes of 1878, in relation to the taxation of railroad, telegraph, fire, inland, navigation and life insurance companies.

To committee on Railroads.

By Senator Griffin:

No. 255, S.,

A bill to construct a dam across the Chippewa river above Paint creek and below Little Falls dam on said river.

To select committee consisting of Senator Griffin. Ordered not printed.

By Senator Woodman:

No 256, S.,

A bill to authorize the St. Paul & Chicago Short Line Railroad Company to construct bridges over the Chippewa and Wisconsin rivers.

To committee on Railroads.

By Senator Dering:

No. 257, S.,

A bill to authorize the secretary of state to purchase sketches of the surviving members of the constitutional convention.

To committee on State Affairs.

By Senator Scott:

No. 258, S.,

A bill to appropriate to Wood county a sum of money therein named.

To committee on Claims.

By Senator Kelly:

No. 259, S.,

A bill to amend the charter of the city of Green Bay.

To special committee consisting of Senator Kelly. Ordered not printed.

By Senator Kelly:

No. 260, S.,

A bill relating to a military road, so called, in the state of Wisconsin, and repealing the act exempting the same.

To special committee consisting of Senator Kelly. Ordered not printed.

By Senator Kelly:

M. C. No. 7, S.,

For sale of a portion of the Menomonee reservation in the county of Shawano.

To committee on Judiciary.

By Senator McGrew:

M. C. No. 6, S.,

To the postmaster general for the establishment of a daily mail

between the villages of Excelsior, Richland county, and Muscoda, Grant county.

To committee on Federal Relations.

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### REPORTS OF COMMITTEES.

The committee on Railroads, to whom was referred  
No. 96, S.,

A bill to authorize the Iowa County Agricultural Society to donate to the Mineral Point Railroad Company a piece of land,

Have had the same under consideration, and report the same back with the recommendation that it do pass.

H. S. SACKET,  
*Chairman.*

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On motion of Senator Price, the vote by which  
Jt. Res. No. 14, S.,

For the final adjustment of the demand therein named,

Was laid over until Monday, was reconsidered, and the resolution was referred to the Judiciary committee.

On motion of Senator Fifield,  
No. 109, S.,

A bill to authorize William Wilson, William Tainter, John Knapp, Henry L. Stout, Thos. B. Wilson and John H. Douglass, their associates and successors and assigns, to construct and maintain a dam across Hay river in Barron county, on lands owned by the Knapp, Stout & Co. Company,

Was recalled from the committee on Incorporations and recommitted to a select committee consisting of Senator Fifield, and ordered not printed.

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On motion of Senator Sutherland,  
The senate adjourned.

FRIDAY, FEBRUARY 6, 1880.

The senate met.

The president in the chair.

Prayer by the Rev. Mr. Wright.

The roll was called, and the following senators answered to their names:

Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Haben, Houghton, Hyde, Kellogg, Kelly, McFetridge, Morgan, Price, Richardson, Ryland, Sacket, Scott, Sutherland, Thomas, Van Schaick, Van Steenwyk and Woodman.

The journal of yesterday was approved.

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### LEAVES OF ABSENCE.

Leave of absence was granted to Senator McGrew until Monday evening, to Senator Sutherland until Wednesday morning, and to Senators Fifield, Bennett and Scott until Tuesday morning.

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Senator Price rose to a personal explanation, and said he had read a communication, lately published in the Milwaukee Sentinel, reflecting severely upon his alleged action, and that of E. W. Keyes, in relation to the appointment of the senate committees, claiming that great injustice had been done to Senator Kelly in the matter of making up the committees. He denounced the statements made in the communication as unqualifiedly and maliciously false. He said there are pirates on the high seas, disease and death among communities, counterfeiters among artisans, impostors among priests, quacks among doctors, shysters among lawyers, hyenas in grave yards, lizzards and sharks in the purest waters, and toads and snakes in most beautiful fields; and among the *gentlemen* who have so faithfully reported the proceedings in this senate, it is perhaps not surprising that there should be *one* disreputable and irresponsible penny-a-liner who is willing to court notoriety at the expense of truth, and fill the place of corsair and free booter in the broad sea of literature.

Senator Burrows said that he had the honor of being a member

of the committee which made out the list of senate committees, Senator Richardson being the chairman of said committee, and not Senator Price, as stated in the Sentinel. It was well known that there were twenty-five republican senators, and but twenty-one senate committees. It is a well-known custom to give the chairmanships of the leading committees to the older senator; Senator Grimmer, also of the committee, of the first senate district, being in Mr. Kelly's congressional district, was evidently satisfied with the position given to Mr. Kelly. Senator Price and all the committee desired to give Senator Kelly a position on one of the important committees, and in putting him on the committee on Claims Senator Burrows, for one, thought that such a position would be satisfactory to Senator Kelly, and he understood the same to be the view of Senator Grimmer. He believed that this position was equivalent to a chairmanship of a minor committee. He wished also to say that Senator Price was as anxious as any of the committee to do full justice to Senator Kelly in making up the committees. He also wished to state, that, as far as Mr. Keyes was concerned, he knew absolutely that that gentleman had nothing whatever to do with advising or making up the committees.

Senator Richardson, the chairman of the nominating committee, assured the senators that so far as the statement in the Sentinel intimated that outside pressure was used to influence the committee, there was no truth in it, and generally he exonerated Senator Price from the charges preferred by the Sentinel correspondent.

Senators McFetridge and Hyde, also members of the nominating committee, substantially agreed in their remarks with the senators who had preceded them.

Senator Kelly said that he had no previous knowledge that the article referred to by Senator Price was to appear in the Milwaukee Sentinel, and fully exonerated the committee from any complicity in the charges preferred by the Sentinel; he expressed the highest respect for and confidence in the entire committee, and that he entertained only feelings of a cordial and sincere nature towards all his fellow senators.

On motion of Senator Burrows,  
Jt. Res. No. 13, S.,  
Relating to the gift of ex-Governor C. C. Washburn,  
Was referred to a select committee consisting of Senator Burrows.

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## BILLS INTRODUCED.

Read first and second times and referred.

By the Judiciary committee:

No. 261, S.,

A bill to allow a certain credit to Simeon Mills, late treasurer of the state hospital for the insane.

To the General File.

## REPORTS OF COMMITTEES.

The Committee on State Lands, to whom was referred  
No. 12, S.,

A bill relating to fences,

Have had the same under consideration, and have instructed me to report the same back with an amendment and recommend its passage when so amended.

GEO. B. BURROWS,  
*Chairman.*

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The committee on Education, to whom was referred  
No. 13, S.,

A bill to provide for the purchase of Webster's Unabridged Dictionaries,

Have had the same under consideration, and have instructed me to report the same back with amendments, and the recommendation that it do pass when so amended.

EDWIN E. WOODMAN,  
*Chairman.*

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The committee on Finance, Banks and Insurance, to whom was referred

No. 120, S.,

A bill authorizing the Hamburg Fire Insurance Company to re-insure the Vernon County Scandinavian Mutual Insurance Company,

Have had the same under consideration and report it back with the recommendation that it do pass.

G. VAN STEENWYK,  
*Chairman.*

---

The committee on Judiciary, to whom was referred  
No. 42, S.,

A bill to authorize the employment of phonographic reporters in county courts having civil jurisdiction,

Have had the same under consideration, and have instructed me to report the same back with amendment, and recommend its passage when so amended.

No. 23, S.,

A bill to amend sections 3875 and 3878 of the revised statutes of 1878, relating to the sale of lands by executors and administrators

No. 11, S.,

A bill to amend section 329 of chapter 20 of the revised statutes of 1878, relating to the publication of the laws,

No. 1, S.,

A bill to regulate the practice of dentistry in the state of Wisconsin,

Without recommendation.

No. 19, S.,

A bill to protect surgeons, physicians, dentists and patients from the morbid condition of the nervous system sometimes produced by the administration of anæsthetics,

With the recommendation that it be indefinitely postponed.

Pet. No. 8.,

Petition for the relief of Simeon Mills,

A majority of committee report it back with the accompanying bill, and recommend the passage of the bill.

Senators Houghton, Griffin and Quarles dissenting.

H. E. HOUGHTON,  
*Chairman.*

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### REPORTS OF SELECT COMMITTEES.

The special committee to whom was referred

No. 220, S.,

A bill to amend section 1798, chapter 87, revised statutes of 1878, entitled of railroads,

Have had the same under consideration, and report it back with an amendment, and recommend that the bill with the amendment be recommitted to the committee on Railroads.

J. B. BENNETT,  
*Special Committee.*

So ordered.

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### BILLS READY FOR A THIRD READING.

No. 26, S.,

A bill to authorize Jes. Ericksen and E. C. Manger to maintain a boom in Kewaunee river, in Kewaunee county,

No. 41, S.,

A bill to amend chapter 141, laws of 1879, entitled an act to amend section 121, chapter 10, revised statutes of 1878, in relation to the distribution of blue books,

Were severally read a third time and passed.

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### BILLS ON THEIR THIRD READING.

No. 11, A.,

A bill to authorize commissioners of the public lands to loan a portion of the trust funds of the state to the town of Kewaunee, in the county of Kewaunee,

No. 63, A.,

A bill to authorize the levy and collection of a special tax in the second ward of the city of Milwaukee,

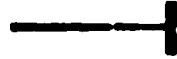
No. 75, A.,

A bill to authorize the levy and collection of a special tax in the ninth ward of the city of Milwaukee,

No. 88, A.,

A bill to authorize the levy and collection of a special tax in the tenth ward of the city of Milwaukee,

Were severally ordered to a third reading.



### BILLS ON THEIR ENGROSSMENT AND THIRD READING.

No. 66, S.,

A bill to extend the time limited in chapter 281, private and local laws of 1870, entitled an act to authorize Deidrich Van Hollen to keep and maintain a ferry across the St. Croix river,

No. 71, S.,

A bill to legalize the acts of L. S. Rolleston, county clerk in and for the county of Columbia,

No. 72, S.,

A bill authorizing the towns of Sigel and Flambeau in Chippewa county, Wisconsin, to levy a special tax for the purpose of paying off certain bonds, and empowering the board of supervisors of Chippewa county to adjust the indebtedness of said towns,

No. 84, S.,

A bill to legalize the official acts of Alois Neuburg, a justice of the peace in the county of La Crosse,

No. 85, S.,

A bill to authorize the commissioners of public lands to loan a portion of the trust funds of the state to the town of Shullsburg, in La Fayette county,

No. 96, S.,

A bill to authorize the Iowa County Agricultural Society to donate to the Mineral Point Railroad Company a piece of land,

No. 109, S.,

A bill to authorize Wm. Wilson, Andrew Tainter, John H. Knapp, Henry L. Stout, Thomas B. Wilson and John L. Douglas, their associates, successors and assigns, to construct and maintain a dam across Hay river, in Barron county, on land owned by the Knapp, Stout & Co. Company,

No. 112, S.,

A bill to authorize John H. Knapp, Andrew Tainter, Thomas B. Wilson, Henry L. Stout, William Wilson, John H. Douglas, their associates, successors and assigns, to construct and maintain a dam across Hemlock creek, in Chippewa county, on lands owned by the Knapp, Stout & Co. Company,

Were severally ordered engrossed and read a third time.

The amendments to

No. 27, S.,

A bill to amend section 4771 of the revised statutes of 1878, in relation to security of costs in criminal cases,

No. 30, S.,

A bill to authorize A. D. Lunt and P. M. Musser to build a dam across and otherwise improve Elk river, in Price county, for log driving purposes,

No. 48, S.,

A bill to amend section 4415, revised statutes 1878, relating to punishment for larceny,

No. 110, S.,

A bill to authorize Henry L. Stout, John H. Douglas, William Wilson, John H. Knapp, Andrew Tainter, Thomas B. Wilson, their associates, successors and assigns, to erect and maintain a dam across Hemlock creek, in Barron county, on land owned by the Knapp, Stout & Co. Company,

No. 113, S.,

A bill to authorize Thos. B. Wilson, Andrew Tainter, William Wilson, Henry L. Stout John H. Knapp, John H. Douglas, their associates, successors and assigns, to erect and maintain a dam across Hemlock creek, in Chippewa county, on land owned by the Knapp, Stout & Co. Company,

Were adopted, and the bills were severally ordered engrossed and read a third time.

No. 44, S.,

A bill relating to the acquisition of land by eminent domain,

No. 74, S.,

A bill exempting the sale of sewing machines and musical instruments from license under chapter 67 of the revised statutes,

No. 75, S.,

A bill to amend section 4679 of the revised statutes, relating to change of venue in criminal cases,

Were severally indefinitely postponed.

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Senator Van Steenwyk moved that when the senate adjourn it be until Monday evening at 7:30 o'clock,  
Which motion prevailed.

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On motion of Senator Bennett,  
The senate adjourned.

MONDAY, FEBRUARY 9, 1880.

7:30 O'CLOCK P. M.

The senate met.

The president in the chair.

The roll was called, and the following senators answered to their names:

Senators Anderson, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Haben, Hyde, Kellogg, Kelly, McFetridge, McGrew, Paul, Price, Rankin, Richardson, Ryland, Smith, Thomas, Van Schaick, Van Steenwyk and Woodman.

The journal of Friday was approved.

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### MESSAGE FROM THE ASSEMBLY.

By J. E. ELDBRED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has adopted, and asks the concurrence of the senate in,

Jt. Res. No. 17, A.,

Relating to furnishing copies of geological survey to reporters of daily newspapers,

Jt. Res. No. 18, A.,

Relating to selling laws of Wisconsin concerning the organization and government of towns, and the powers and duties of town officers and boards of supervisors, with practical forms.

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### ASSEMBLY MESSAGE CONSIDERED.

Jt. Res. No. 17, A.,

Was referred to the committee on Legislative Expenditures.

Jt. Res. No. 18, A.,

Was concurred in.

## BILLS READY FOR A THIRD READING.

No. 11, A.,

A bill to authorize the commissioners of the public lands to loan a portion of the trust funds of the state to the town of Kewaunee, in the county of Kewaunee,

No. 63, A.,

A bill to authorize the levy and collection of a special tax in the second ward of the city of Milwaukee,

No. 75, A.,

A bill to authorize the levy of a special tax in the ninth ward of the city of Milwaukee,

No. 88, A.,

A bill to authorize the levy of a special tax in the tenth ward of the city of Milwaukee,

Were severally read a third time and concurred in.

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## BILLS ON THEIR ENGROSSMENT AND THIRD READING.

No. 19, S.,

A bill to protect surgeons, physicians, dentists and patients from the morbid condition of the nervous system sometimes produced by the administration of anæsthetics,

Was indefinitely postponed.

No. 23, S.,

A bill to amend sections 3875 and 3878 of the revised statutes of 1878, relating to the sale of lands by executors and administrators,

No. 120, S.,

A bill authorizing the Hamburg Fire Insurance Company to re-insure the Vernon County Scandinavian Mutual Insurance Company,

Were severally ordered engrossed and read a third time.

No. 42, S.,

A bill to authorize the employment of phonographic reporters in county courts having civil jurisdiction,

Was recommitted to a select committee consisting of Senator Sutherland.

No. 1, S.,

A bill to regulate the practice of dentistry in the state of Wisconsin.

Senator Rankin moved to indefinitely postpone the bill.

The ayes and noes being demanded,

It was decided in the negative; ayes, 11; noes, 12; not voting, 10.

The vote was as follows:

*Ayes* — Senators Carter, Haben, McGrew, Paul, Price, Rankin, Richardson, Ryland, Smith, Thomas and Van Schaick — 11.

*Noes* — Senators Anderson, Blackstone, Burrows, Chipman, Dering, Fifield, Hyde, Kellogg, Kelly, McFetridge, Van Steenwyk and Woodman — 12.

*Not voting* — Senators Bennett, Griffin, Grimmer, Houghton, Morgan, Quarles, Sacket, Scott, Sutherland and Weaver — 10.

The bill was then ordered engrossed and read a third time.

On motion of Senator Dering,

No. 11, S.,

A bill to amend section 329 of chapter 20 of the revised statutes of 1878, relating to the publication of the laws,

Was recommitted to the committee on Claims.

No. 13, S.,

A bill to provide for the purchase of Webster's Unabridged Dictionaries.

Senator Anderson moved to recommit the bill to the committee on Education.

The motion was lost.

Senator Anderson offered the following amendment to the amendment:

Amend by inserting after the word "Webster," the words "or Worcester's."

The amendment was lost.

The amendment reported by the committee was then adopted.

Senator Richardson offered the following amendment:

Amend section 3 by inserting in third line of printed bill, before the words "such a number," the following: "at the price paid for the same."

The amendment was adopted, and the bill was ordered engrossed and read a third time.

The amendments to

No 12, S.,

A bill relating to fences,

Were adopted, and the bill was ordered engrossed and read a third time.

No. 261, S.,

A bill to allow a certain credit to Simeon Mills, late treasurer of the State Hospital for the Insane,

Was referred to the committee on Claims.

On motion of Senator Woodman,

Jt. Res. No. 12, S.,

Was recalled from the Judiciary committee and recommitted to the committee on State Affairs.

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On motion of Senator Fifield,

The senate adjourned.

TUESDAY, FEBRUARY 10, 1880.

10 o'CLOCK A. M.

The senate met.

The president in the chair.

Prayer by Prof. Butler.

The roll was called, and the following senators answered to their names:

Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Haben, Houghton, Hyde, Kellogg, Kelly, McFetridge, McGrew, Paul, Price, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman.

The journal of yesterday was approved.

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COMMUNICATION.

STATE OF WISCONSIN,  
*Department of State,*  
 MADISON, *February* 10, 1880.

HON. JAMES M. BINGHAM,

*President of the Senate:*

SIR — In compliance with the provisions of section 147 of the revised statutes, I have the honor to transmit herewith to the legislature the following claims against the state requiring legislative action, to wit:

Claim of Kewaunee county,	-	-	-	\$523 49
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Claim of Robert May,	-	.	-	62 00
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These claims, if allowed, will be chargeable to the general fund.

Very respectfully,

Your obedient servant,

HANS B. WARNER,

*Secretary of State.*


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RESOLUTIONS INTRODUCED.

By Senator Hyde:

Res. No. 21, S.,

*Resolved*, That the use of the senate chamber be granted to the committee on Charitable and Penal Institutions, to-morrow (Wednesday) afternoon, for the purpose of witnessing an examination of deaf and dumb mutes.

Adopted.

## MESSAGE FROM THE ASSEMBLY.

By J. E. ELDRED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has passed, and asks the concurrence of the senate in

No. 109, A.,

A bill to authorize the commissioners of public lands to loan a portion of the trust funds of the state to the town of Lyndon, in the county of Sheboygan and state of Wisconsin,

No. 6, A.,

A bill to amend section 1928 of chapter 89 of the revised statutes of 1878 in relation to town insurance companies,

No. 102, A.,

A bill to authorize the commissioners of public lands to loan a portion of the trust funds to the city of Stevens Point, Portage county, to enable said city to pay off and cancel a portion of its bonded indebtedness,

No. 100, A.,

A bill to authorize the commissioners of public lands to loan a portion of the trust funds of the state to Taylor county,

No. 86, A.,

A bill to amend section 169 of the revised statutes, entitled of state officers,

No. 39, A.,

A bill for the preservation of fish in Long lake, Round lake, and Mud lake, situate in the counties of Fond du Lac and Sheboygan,

No. 26, A.,

A bill to amend chapter 52 of the revised statutes of 1878, entitled of highways and bridges,

No. 13, A.,

A bill to authorize Frederick R. Stees to construct a dam across Vermillion river, in Barron county,

No. 4, A.,

A bill relating to proceedings to enforce liens on logs in certain cases,

No. 1, A.,

A bill to authorize the commissioners of public lands to loan a portion of the trust funds to the county of Portage.

---

ASSEMBLY MESSAGE CONSIDERED.

Nos. 109, 102, 100, 86, 39 and 1, A., were referred to the committee on State Affairs.

No. 26, A., was referred to the committee on Roads and Bridges.

No. 13, A., was referred to the committee on Incorporations,

No. 4, A., was referred to the committee on Judiciary.

No. 6, A., was referred to the committee on Finance, Banks and Insurance.

## REPORTS OF COMMITTEES.

The committee on Engrossed Bills have examined and find correctly engrossed:

No. 109, S.,

A bill to authorize William Wilson, Andrew Tainter, John H. Knapp, Henry L. Stout, Thos. B. Wilson and John H. Douglass, their associates, successors and assigns, to construct and maintain a dam across Hay river in Barron county, on lands owned by the Knapp, Stout & Co. Company,

No. 85, S.,

A bill to authorize the commissioners of public lands to loan a portion of the trust funds of the state to the town of Shullsburg, in La Fayette county,

No. 31, S.,

A bill to provide compensation for completing the transcribing of the senate and assembly journals,

No. 36, S.,

A bill to appropriate the sum of five hundred dollars to the Wisconsin State Dairymen's Association,

No. 96, S.,

A bill to authorize the Iowa County Agricultural Society to donate to the Mineral Point Railroad Company a piece of land,

No. 66, S.,

A bill to extend the time limited in chapter 281, private and local laws of 1870, entitled an act to authorize Diedrich Van Hollan to keep and maintain a ferry across the St. Croix river,

No. 71, S.,

A bill to legalize the acts of L. S. Rolleston, county clerk in and for the county of Columbia,

No. 72, S.,

A bill authorizing the towns of Sigel and Flambeau, in Chippewa county, Wisconsin, to levy a special tax for the purpose of paying off certain bonds, and empowering the board of supervisors of Chippewa county to adjust the indebtedness of said towns,

No. 110, S.,

A bill to authorize Henry L. Stout, John H. Douglass, William Wilson, John H. Knapp, Andrew Tainter, and Thomas B. Wilson, their associates, successors and assigns, to erect and maintain a dam across Hemlock creek, in Barron county, on land owned by the Knapp, Stout & Co. Company.

GEO. W. RYLAND,  
*Chairman.*

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The committee on Town and County Affairs, to whom was referred

No. 193, S.,

A bill to amend section 670 of the revised statutes of 1878 and chapter 190 of the general laws of 1879, relating to the organization of towns,

No. 187, S.,

A bill to legalize the action of the board of supervisors of the county of Polk, in setting off and creating the town of Georgetown, in said county,

Have had the same under consideration, and have instructed me to report the same back with recommendation that they do pass.

CHAS. L. DERING,  
*Chairman.*

---

The committee on State Affairs, to whom were referred several appointments made by his excellency the governor, have had the same under consideration, and report them back to the senate with the recommendation that they be confirmed.

GEO. B. BURROWS,  
*Chairman.*

---

The question being on the confirmation of the appointments, John H. Vivian to be a member of the state board of charities and reform, was confirmed by the following vote:

*Ayes* — Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Houghton, Hyde, Kellogg, Kelly, McFetridge, McGrew, Paul, Price, Richardson, Ryland, Sacket, Scott, Smith, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman — 27.

A. O. Wright to be regent of normal schools, was confirmed by the following vote:

*Ayes* — Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Haben, Houghton, Hyde, Kellogg, Kelly, McFetridge, McGrew, Paul, Price, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman — 29.

C. L. Valentine to be commissioner of fisheries, was confirmed by the following vote:

*Ayes* — Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Haben, Houghton, Hyde, Kellogg, Kelly, McFetridge, McGrew, Paul, Price, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman — 29.

Philo Dunning to be commissioner of fisheries, was confirmed by the following vote:

*Ayes* — Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Haben, Houghton, Hyde, Kellogg, Kelly, McFetridge, McGrew, Paul, Price, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman — 29.

Hon. Nelson Dewey to be director of the state prison.

Senator Richardson moved that the appointment be recommitted to the committee on State Affairs.

The motion was lost.

Senator Hyde moved that further consideration of the appointment be postponed until to-morrow.

The ayes and noes being demanded, it was decided in the negative; ayes, 10; noes, 19; not voting, 4.

The vote was as follows:

*Ayes* — Senators Dering, Houghton, Hyde, McFetridge, Richardson, Ryland, Sacket, Scott, Van Steenwyk and Woodman — 10.

*Noes* — Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Fifield, Griffin, Haben, Kellogg, Kelly, McGrew, Paul, Price, Rankin, Smith, Thomas, Van Schaick and Weaver — 19.

*Not voting* — Senators Grimmer, Morgan, Quarles, Rankin and Sutherland — 5.

The nomination was then confirmed, ayes, 21; noes, 5; not voting, 7.

The vote was as follows:

*Ayes* — Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Haben, Hyde, Kellogg, Kelly, McGrew, Paul, Price, Rankin, Ryland, Smith, Thomas, Van Schaick and Weaver — 21.

*Noes* — Senators Griffin, Richardson, Scott, Van Steenwyk and Woodman — 5.

*Not voting* — Senators Grimmer, Houghton, McFetridge, Morgan, Quarles, Sacket and Sutherland — 7.

A. J. Turner to be railroad commissioner was confirmed by the following vote:

*Ayes* — Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Haben, Houghton, Hyde, Kellogg, Kelly, McFetridge, McGrew, Paul, Price, Richardson, Ryland, Sacket, Scott, Smith, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman — 28.

Willard H. Chandler to be regent of the state normal schools, was confirmed by the following vote:

*Ayes* — Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Haben, Houghton, Hyde, Kellogg, Kelly, McFetridge, McGrew, Paul, Price, Richardson, Ryland, Sacket, Scott, Smith, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman. — 28.

Abram D. Andrews to be regent of the state normal schools, was confirmed by the following vote:

*Ayes* — Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Haben, Houghton, Hyde, Kellogg, Kelly, McFetridge, McGrew, Paul, Price, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman — 29.

Thompson D. Weeks to be regent of the state normal schools, was confirmed by the following vote:

*Ayes* — Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Haben, Houghton, Hyde, Kellogg, Kelly, McFetridge, McGrew, Paul, Price, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman — 29.

No. 88, A.,

A bill to authorize the levy and collection of a special tax in the tenth ward of the city of Milwaukee,

Were severally ordered to a third reading.



## BILLS ON THEIR ENGROSSMENT AND THIRD READING.

No. 66, S.,

A bill to extend the time limited in chapter 281, private and local laws of 1870, entitled an act to authorize Deidrich Van Hollen to keep and maintain a ferry across the St. Croix river,

No. 71, S.,

A bill to legalize the acts of L. S. Rolleston, county clerk in and for the county of Columbia,

No. 72, S.,

A bill authorizing the towns of Sigel and Flambeau in Chippewa county, Wisconsin, to levy a special tax for the purpose of paying off certain bonds, and empowering the board of supervisors of Chippewa county to adjust the indebtedness of said towns,

No. 84, S.,

A bill to legalize the official acts of Alois Neuburg, a justice of the peace in the county of La Crosse,

No. 85, S.,

A bill to authorize the commissioners of public lands to loan a portion of the trust funds of the state to the town of Shullsburg, in La Fayette county,

No. 96, S.,

A bill to authorize the Iowa County Agricultural Society to donate to the Mineral Point Railroad Company a piece of land,

No. 109, S.,

A bill to authorize Wm. Wilson, Andrew Tainter, John H. Knapp, Henry L. Stout, Thomas B. Wilson and John L. Douglas, their associates, successors and assigns, to construct and maintain a dam across Hay river, in Barron county, on land owned by the Knapp, Stout & Co. Company,

No. 112, S.,

A bill to authorize John H. Knapp, Andrew Tainter, Thomas B. Wilson, Henry L. Stout, William Wilson, John H. Douglas, their associates, successors and assigns, to construct and maintain a dam across Hemlock creek, in Chippewa county, on lands owned by the Knapp, Stout & Co. Company,

Were severally ordered engrossed and read a third time.

The amendments to

No. 27, S.,

A bill to amend section 4771 of the revised statutes of 1878, in relation to security of costs in criminal cases,

No. 30, S.,

A bill to authorize A. D. Lunt and P. M. Musser to build a dam across and otherwise improve Elk river, in Price county, for log driving purposes,

No. 48, S.,

A bill to amend section 4415, revised statutes 1878, relating to punishment for larceny,

No. 110, S.,

A bill to authorize Henry L. Stout, John H. Douglas, William Wilson, John H. Knapp, Andrew Tainter, Thomas B. Wilson, their associates, successors and assigns, to erect and maintain a dam across Hemlock creek, in Barron county, on land owned by the Knapp, Stout & Co. Company,

No. 113, S.,

A bill to authorize Thos. B. Wilson, Andrew Tainter, William Wilson, Henry L. Stout John H. Knapp, John H. Douglas, their associates, successors and assigns, to erect and maintain a dam across Hemlock creek, in Chippewa county, on land owned by the Knapp, Stout & Co. Company,

Were adopted, and the bills were severally ordered engrossed and read a third time.

No. 44, S.,

A bill relating to the acquisition of land by eminent domain,

No. 74, S.,

A bill exempting the sale of sewing machines and musical instruments from license under chapter 67 of the revised statutes,

No. 75, S.,

A bill to amend section 4679 of the revised statutes, relating to change of venue in criminal cases,

Were severally indefinitely postponed.

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Senator Van Steenwyk moved that when the senate adjourn it be until Monday evening at 7:30 o'clock,  
Which motion prevailed.

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On motion of Senator Bennett,  
The senate adjourned.

MONDAY, FEBRUARY 9, 1880.

7:30 o'clock P. M.

The senate met.

The president in the chair.

The roll was called, and the following senators answered to their names:

Senators Anderson, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Haben, Hyde, Kellogg, Kelly, McFetridge, McGrew, Paul, Price, Rankin, Richardson, Ryland, Smith, Thomas, Van Schaick, Van Steenwyk and Woodman.

The journal of Friday was approved.

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### MESSAGE FROM THE ASSEMBLY.

By J. E. ELDRED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has adopted, and asks the concurrence of the senate in,

Jt. Res. No. 17, A.,

Relating to furnishing copies of geological survey to reporters of daily newspapers,

Jt. Res. No. 18, A.,

Relating to selling laws of Wisconsin concerning the organization and government of towns, and the powers and duties of town officers and boards of supervisors, with practical forms.

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### ASSEMBLY MESSAGE CONSIDERED.

Jt. Res. No. 17, A.,

Was referred to the committee on Legislative Expenditures.

Jt. Res. No. 18, A.,

Was concurred in.

## BILLS READY FOR A THIRD READING.

No. 11, A.,

A bill to authorize the commissioners of the public lands to loan a portion of the trust funds of the state to the town of Kewaunee, in the county of Kewaunee,

No. 63, A.,

A bill to authorize the levy and collection of a special tax in the second ward of the city of Milwaukee,

No. 75, A.,

A bill to authorize the levy of a special tax in the ninth ward of the city of Milwaukee,

No. 88, A.,

A bill to authorize the levy of a special tax in the tenth ward of the city of Milwaukee,

Were severally read a third time and concurred in.

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BILLS ON THEIR ENGROSSMENT AND THIRD READING.

No. 19, S.,

A bill to protect surgeons, physicians, dentists and patients from the morbid condition of the nervous system sometimes produced by the administration of anæsthetics,

Was indefinitely postponed.

No. 23, S.,

A bill to amend sections 3875 and 3878 of the revised statutes of 1878, relating to the sale of lands by executors and administrators,

No. 120, S.,

A bill authorizing the Hamburg Fire Insurance Company to re-insure the Vernon County Scandinavian Mutual Insurance Company,

Were severally ordered engrossed and read a third time.

No. 42, S.,

A bill to authorize the employment of phonographic reporters in county courts having civil jurisdiction,

Was recommitted to a select committee consisting of Senator Sutherland.

No. 1, S.,

A bill to regulate the practice of dentistry in the state of Wisconsin.

Senator Rankin moved to indefinitely postpone the bill.

The ayes and noes being demanded,

It was decided in the negative; ayes, 11; noes, 12; not voting, 10.

The vote was as follows:

*Ayes* — Senators Carter, Haben, McGrew, Paul, Price, Rankin, Richardson, Ryland, Smith, Thomas and Van Schaick — 11.

*Noes* — Senators Anderson, Blackstone, Burrows, Chipman, Dering, Fifield, Hyde, Kellogg, Kelly, McFetridge, Van Steenwyk and Woodman — 12.

*Not voting* — Senators Bennett, Griffin, Grimmer, Houghton, Morgan, Quarles, Sacket, Scott, Sutherland and Weaver — 10.

The bill was then ordered engrossed and read a third time.

On motion of Senator Dering,

No. 11, S.,

A bill to amend section 329 of chapter 20 of the revised statutes of 1878, relating to the publication of the laws,

Was recommitted to the committee on Claims.

No. 13, S.,

A bill to provide for the purchase of Webster's Unabridged Dictionaries.

Senator Anderson moved to recommit the bill to the committee on Education.

The motion was lost.

Senator Anderson offered the following amendment to the amendment:

Amend by inserting after the word "Webster," the words "or Worcester's."

The amendment was lost.

The amendment reported by the committee was then adopted.

Senator Richardson offered the following amendment:

Amend section 3 by inserting in third line of printed bill, before the words "such a number," the following: "at the price paid for the same."

The amendment was adopted, and the bill was ordered engrossed and read a third time.

The amendments to

No 12, S.,

A bill relating to fences,

Were adopted, and the bill was ordered engrossed and read a third time.

No. 261, S.,

A bill to allow a certain credit to Simeon Mills, late treasurer of the State Hospital for the Insane,

Was referred to the committee on Claims.

On motion of Senator Woodman,

Jt. Res. No. 12, S.,

Was recalled from the Judiciary committee and recommitted to the committee on State Affairs.

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On motion of Senator Fifield,  
The senate adjourned.

TUESDAY, FEBRUARY 10, 1880.

10 o'CLOCK A. M.

The senate met.

The president in the chair.

Prayer by Prof. Butler.

The roll was called, and the following senators answered to their names:

Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Haben, Houghton, Hyde, Kellogg, Kelly, McFetridge, McGrew, Paul, Price, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman.

The journal of yesterday was approved.

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### COMMUNICATION.

STATE OF WISCONSIN,  
*Department of State,*  
MADISON, *February* 10, 1880.

Hon. JAMES M. BINGHAM,

*President of the Senate:*

SIR — In compliance with the provisions of section 147 of the revised statutes, I have the honor to transmit herewith to the legislature the following claims against the state requiring legislative action, to wit:

Claim of Kewaunee county, - - - \$523 49

Claim of Robert May, - - - 62 00

These claims, if allowed, will be chargeable to the general fund.

Very respectfully,

Your obedient servant,

HANS B. WARNER,

*Secretary of State.*

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### RESOLUTIONS INTRODUCED.

By Senator Hyde:

Res. No. 21, S.,

*Resolved*, That the use of the senate chamber be granted to the committee on Charitable and Penal Institutions, to-morrow (Wednesday) afternoon, for the purpose of witnessing an examination of deaf and dumb mutes.

Adopted.

## MESSAGE FROM THE ASSEMBLY.

By J. E. ELDRED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has passed, and asks the concurrence of the senate in

No. 109, A.,

A bill to authorize the commissioners of public lands to loan a portion of the trust funds of the state to the town of Lyndon, in the county of Sheboygan and state of Wisconsin,

No. 6, A.,

A bill to amend section 1928 of chapter 89 of the revised statutes of 1878 in relation to town insurance companies,

No. 102, A.,

A bill to authorize the commissioners of public lands to loan a portion of the trust funds to the city of Stevens Point, Portage county, to enable said city to pay off and cancel a portion of its bonded indebtedness,

No. 100, A.,

A bill to authorize the commissioners of public lands to loan a portion of the trust funds of the state to Taylor county,

No. 86, A.,

A bill to amend section 169 of the revised statutes, entitled of state officers,

No. 39, A.,

A bill for the preservation of fish in Long lake, Round lake, and Mud lake, situate in the counties of Fond du Lac and Sheboygan,

No. 26, A.,

A bill to amend chapter 52 of the revised statutes of 1878, entitled of highways and bridges,

No. 13, A.,

A bill to authorize Frederick R. Stees to construct a dam across Vermillion river, in Barron county,

No. 4, A.,

A bill relating to proceedings to enforce liens on logs in certain cases,

No. 1, A.,

A bill to authorize the commissioners of public lands to loan a portion of the trust funds to the county of Portage.

---

ASSEMBLY MESSAGE CONSIDERED.

Nos. 109, 102, 100, 86, 39 and 1, A., were referred to the committee on State Affairs.

No. 26, A., was referred to the committee on Roads and Bridges.

No. 13, A., was referred to the committee on Incorporations,

No. 4, A., was referred to the committee on Judiciary.

No. 6, A., was referred to the committee on Finance, Banks and Insurance.

## REPORTS OF COMMITTEES.

The committee on Engrossed Bills have examined and find correctly engrossed:

No. 109, S.,

A bill to authorize William Wilson, Andrew Tainter, John H. Knapp, Henry L. Stout, Thos. B. Wilson and John H. Douglass, their associates, successors and assigns, to construct and maintain a dam across Hay river in Barron county, on lands owned by the Knapp, Stout & Co. Company,

No. 85, S.,

A bill to authorize the commissioners of public lands to loan a portion of the trust funds of the state to the town of Shullsburg, in La Fayette county,

No. 31, S.,

A bill to provide compensation for completing the transcribing of the senate and assembly journals,

No. 36, S.,

A bill to appropriate the sum of five hundred dollars to the Wisconsin State Dairymen's Association,

No. 96, S.,

A bill to authorize the Iowa County Agricultural Society to donate to the Mineral Point Railroad Company a piece of land,

No. 66, S.,

A bill to extend the time limited in chapter 281, private and local laws of 1870, entitled an act to authorize Diedrich Van Hollan to keep and maintain a ferry across the St. Croix river,

No. 71, S.,

A bill to legalize the acts of L. S. Rolleston, county clerk in and for the county of Columbia,

No. 72, S.,

A bill authorizing the towns of Sigel and Flambeau, in Chippewa county, Wisconsin, to levy a special tax for the purpose of paying off certain bonds, and empowering the board of supervisors of Chippewa county to adjust the indebtedness of said towns,

No. 110, S.,

A bill to authorize Henry L. Stout, John H. Douglass, William Wilson, John H. Knapp, Andrew Tainter, and Thomas B. Wilson, their associates, successors and assigns, to erect and maintain a dam across Hemlock creek, in Barron county, on land owned by the Knapp, Stout & Co. Company.

GEO. W. RYLAND,  
*Chairman.*

---

The committee on Town and County Affairs, to whom was referred

No. 193, S.,

A bill to amend section 670 of the revised statutes of 1878 and chapter 190 of the general laws of 1879, relating to the organization of towns,

No. 187, S.,

A bill to legalize the action of the board of supervisors of the county of Polk, in setting off and creating the town of Georgetown, in said county,

Have had the same under consideration, and have instructed me to report the same back with recommendation that they do pass.

CHAS. L. DERING,  
*Chairman.*

---

The committee on State Affairs, to whom were referred several appointments made by his excellency the governor, have had the same under consideration, and report them back to the senate with the recommendation that they be confirmed.

GEO. B. BURROWS,  
*Chairman.*

---

The question being on the confirmation of the appointments, John H. Vivian to be a member of the state board of charities and reform, was confirmed by the following vote:

*Ayes* — Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Houghton, Hyde, Kellogg, Kelly, McFetridge, McGrew, Paul, Price, Richardson, Ryland, Sacket, Scott, Smith, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman — 27.

A. O. Wright to be regent of normal schools, was confirmed by the following vote:

*Ayes* — Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Haben, Houghton, Hyde, Kellogg, Kelly, McFetridge, McGrew, Paul, Price, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman — 29.

C. L. Valentine to be commissioner of fisheries, was confirmed by the following vote:

*Ayes* — Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Haben, Houghton, Hyde, Kellogg, Kelly, McFetridge, McGrew, Paul, Price, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman — 29.

Philo Dunning to be commissioner of fisheries, was confirmed by the following vote:

*Ayes* — Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Haben, Houghton, Hyde, Kellogg, Kelly, McFetridge, McGrew, Paul, Price, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman — 29.

Hon. Nelson Dewey to be director of the state prison.

Senator Richardson moved that the appointment be recommitted to the committee on State Affairs.

The motion was lost.

Senator Hyde moved that further consideration of the appointment be postponed until to-morrow.

The ayes and noes being demanded, it was decided in the negative; ayes, 10; noes, 19; not voting, 4.

The vote was as follows:

*Ayes* — Senators Dering, Houghton, Hyde, McFetridge, Richardson, Ryland, Sacket, Scott, Van Steenwyk and Woodman — 10.

*Noes* — Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Fifield, Griffin, Haben, Kellogg, Kelly, McGrew, Paul, Price, Rankin, Smith, Thomas, Van Schaick and Weaver — 19.

*Not voting* — Senators Grimmer, Morgan, Quarles, Rankin and Sutherland — 5.

The nomination was then confirmed, ayes, 21; noes, 5; not voting, 7.

The vote was as follows:

*Ayes* — Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Haben, Hyde, Kellogg, Kelly, McGrew, Paul, Price, Rankin, Ryland, Smith, Thomas, Van Schaick and Weaver — 21.

*Noes* — Senators Griffin, Richardson, Scott, Van Steenwyk and Woodman — 5.

*Not voting* — Senators Grimmer, Houghton, McFetridge, Morgan, Quarles, Sacket and Sutherland — 7.

A. J. Turner to be railroad commissioner was confirmed by the following vote:

*Ayes* — Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Haben, Houghton, Hyde, Kellogg, Kelly, McFetridge, McGrew, Paul, Price, Richardson, Ryland, Sacket, Scott, Smith, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman — 28.

Willard H. Chandler to be regent of the state normal schools, was confirmed by the following vote:

*Ayes* — Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Haben, Houghton, Hyde, Kellogg, Kelly, McFetridge, McGrew, Paul, Price, Richardson, Ryland, Sacket, Scott, Smith, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman.— 28.

Abram D. Andrews to be regent of the state normal schools, was confirmed by the following vote:

*Ayes* — Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Haben, Houghton, Hyde, Kellogg, Kelly, McFetridge, McGrew, Paul, Price, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman — 29.

Thompson D. Weeks to be regent of the state normal schools, was confirmed by the following vote:

*Ayes* — Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Haben, Houghton, Hyde, Kellogg, Kelly, McFetridge, McGrew, Paul, Price, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman—29.

On motion of Senator Kellogg,  
The senate adjourned.

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WEDNESDAY, FEBRUARY 11, 1880.

10 o'CLOCK A. M.

The senate met.

The president in the chair.

Prayer by Prof. Butler.

The roll was called, and the following senators answered to their names:

Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Grimmer, Habet, Houghton, Hyde, Kellogg, Kelly, McFetridge, McGrew, Morgan, Paul, Price, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Sutherland, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman.

The journal of yesterday was approved.

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### COMMUNICATIONS.

STATE OF WISCONSIN,

*Department of State,*

MADISON, *February 11, 1880.*

HON. JAMES M. BINGHAM,

*President of the Senate:*

SIR — In compliance with the provisions of section 147 of the revised statutes, I have the honor to transmit herewith to the legislature the following claim against the state requiring legislative action, to-wit:

Claim of Hon. Geo. H. Paul for \$189.00

This claim, if allowed, will be chargeable to the General Fund.

Very respectfully,

Your obedient servant,

HANS B. WARNER,

*Secretary of State.*

The communication was referred to the committee on Claims.

## LETTERS, PETITIONS, Etc.

By Senator Fifield:

Pet. No. 31, S.,

Of M. Dabis, Phil Lipsett and twenty-five others asking for the organization and creation of the county of Sawyer.

To committee on Town and County Affairs.

By Senator Blackstone:

Pet. No. 32, S.,

Of W. W. Dobson and others, to amend the dog law.

To committee on Judiciary.

By Senator Houghton:

Pet. No. 33, S.,

Remonstrance of Thomas Dillon, A. F. Allen and ninety other citizens of the county of Buffalo, against the repeal of the dog law.

To committee on Judiciary.

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REPORTS OF COMMITTEES.

The committee on Judiciary, to whom was referred

No. 4, A.,

A bill relating to proceedings to enforce liens on logs in certain cases,

No. 15, A.,

A bill for the protection of passengers on railroad cars, and conferring police powers on conductors and agents in certain cases,

Have had the same under consideration, and instruct me to report them back with the recommendation that they be concurred in.

No. 44, A.,

A bill to amend section 4756 of chapter 194 of the revised statutes of 1878, entitled of proceedings in criminal cases in justices' courts,

With amendments, and recommend that it be concurred in when so amended.

No. 64, S.,

A bill relating to illegal taxes, and amendatory of chapter 50 of the revised statutes of 1878,

With the recommendation that it be indefinitely postponed.

No. 151, S.,

A bill to confer certain police powers upon agents of the Wisconsin Humane Society,

With the recommendation that it do pass.

No. 89, S.,

A bill to amend chapter 131, revised statutes of the state of Wisconsin, relating to court commissioners,

With the recommendation that it be indefinitely postponed.

No. 106, S.,

A bill relating to the division of towns into election districts, and amendatory of section 27, chapter 5, of the revised statutes of 1878,  
Without recommendation.

No. 108, S.,

A bill to authorize the justices of the peace elected in the several wards of the city of Plymouth, to keep an office and perform their duties in any part of said city,

With the recommendation that it do pass.

H. E. HOUGHTON,  
*Chairman.*

---

The Joint Committee on Claims, to whom was referred

No. 261, S.,

A bill to allow a certain sum of money to Simeon Mills, late treasurer of the State Hospital for the Insane,

Have had the same under consideration, and instructed me to report the same back with the recommendation that the same do pass. Messrs. Price, Carter and Kelsey dissenting.

No. 43, S.,

A bill to authorize the superintendent of public property to furnish stationery and postage stamps to the employes of the senate and assembly, and to make an appropriation therefor,

With amendments, and recommend its passage when so amended. Senator Price dissenting.

No. 18, S.,

To appropriate to the commissioners of fisheries a certain sum therein named,

With amendments, and recommend its passage when so amended.

WM. T. PRICE, *Chairman.*

---

The committee on Engrossed Bills have examined and find correctly engrossed,

No. 1, S.,

A bill to regulate the practice of dentistry in the state of Wisconsin,

No. 12, S.,

A bill relating to fences,

No. 13, S.,

A bill to provide for the purchase of Webster's Unabridged Dictionaries,

No. 23, S.,

A bill to amend sections 3875 and 3878 of the revised statutes of 1878, relating to the sale of lands by executors and administrators,

No. 120, S.,

A bill to authorize the Hamburg Town Fire Insurance Company to reinsure the Vernon County Scandinavian Mutual Insurance Company,

No. 48, S.,

A bill to amend section 4415, revised statutes of 1878, relating to punishment for larceny,

No. 112, S.,

A bill to authorize John H. Knapp, Andrew Tainter, Thomas B. Wilson, Henry L. Stout, William Wilson and John H. Douglass, their associates, successors and assigns, to construct and maintain a dam across Hemlock creek, in Chippewa county, on lands owned by the Knapp, Stout & Co. Company,

No. 84, S.,

A bill to legalize the official acts of Alois Neuburg, a justice of the peace in the county of La Crosse.

GEO. W. RYLAND,  
*Chairman.*

---

The committee on Finance, Banks and Insurance, to whom was referred

No. 144, S.,

A bill to amend section 1979 of chapter 90 of the revised statutes of 1878, relating to organization for protection against fires,

Have had the same under consideration, and report the same back to the senate with the recommendation that it do pass.

No. 184, S.,

A bill to allow general accident insurance companies to do business in this state,

Have had the same under consideration, and report it back with amendments, and recommend its passage when so amended.

G. VAN STEENWYK,  
*Chairman.*

---

The committee on Town and County Affairs, to whom was referred

No. 73, S.,

A bill to create the Kewaunee Harbor Commission and define their duties,

Have had the same under consideration, and instructed me to report the same back with the recommendation that it do pass.

CHAS. L. DERING,  
*Chairman.*

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The committee on Military Affairs, to whom was referred

M. C. No. 4, S.,

Have had the same under consideration, and have instructed me to report the same back with the recommendation that the same do pass.

J. A. KELLOGG,  
*Chairman.*

On motion of Senator Kellogg,

All rules interfering with the present consideration of the memorial were suspended, and the memorial was read a third time and passed.

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### REPORTS OF SPECIAL COMMITTEES.

The special committee to whom was referred  
No. 42, S.,

A bill to amend section 2437 of the revised statutes, in relation to phonographic reporters,

Has had the same under consideration, and would report the same back with an amendment for the original bill and recommend the passage of the bill when so amended.

GEO. E. SUTHERLAND,  
*Special Committee.*

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### EXECUTIVE COMMUNICATIONS.

STATE OF WISCONSIN,  
*Executive Department,*  
MADISON, *February 10, 1880.*

*To the honorable the legislature:*

I have received from his excellency the governor, and have the honor herewith to transmit to you, copies of resolutions adopted by the legislature of Maine, in acknowledgment of the Wisconsin resolutions tendering congratulations to the people of that commonwealth.

WILLIAM E. SMITH.

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STATE OF MAINE,  
*House of Representatives,*  
JANUARY 29, 1880.

*Resolved by the house of representatives, the senate concurring,*  
That we extend to the assembly and senate of the state of Wisconsin, and through them to the people whom they represent, our acknowledgments, for their clear appreciation of the gravity and importance to ourselves and the people of the whole country, of the events through which we have just passed, as expressed in the resolutions transmitted by the governor to this legislature, and for the generous sympathy and encouragement therein tendered to us and the people of the state.

*Resolved,* That in return we tender to them and to the country, our congratulations that these questions, which are so vital to the maintenance of representative government, have been settled by the proper legal tribunals, without violence or an appeal to arms;

thereby adding another proof of the disposition and capacity of the people of this country to maintain, under the law, the spirit and purpose of republican institutions; and to enforce and uphold the essential principle upon which the republic rests: that the will of the people, when ascertained, shall be respected and obeyed.

*Resolved*, That the governor of this state be requested to forward a copy of these resolutions to his excellency, the governor of the state of Wisconsin, with the request that he will transmit them to the assembly and senate of that state.

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STATE OF MAINE,

*In House of Representatives,*

JANUARY 30, 1880.

Read and passed. Sent up for concurrence.

ORAMANDAL SMITH,  
*Clerk.*

*In Senate,*

February 4, 1880.

Passed in concurrence.

C. W. TILDEN,  
*Secretary.*

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STATE OF WISCONSIN,

*Executive Department,*

MADISON, February 11, 1880.

*To the Honorable the Senate:*

I have the honor to submit the following nominations for appointment to the several offices named:

Philip L. Spooner, Jr., of Dane county, to be commissioner of insurance, for the term commencing the first Monday in April, 1880.

Hiram H. Giles, of Dane county, to be a member of the State Board of Charities and Reform, for the term commencing the first day of April, 1880.

James V. Jones, of Winnebago county, and Christopher Hutchinson, of Grant county, to be Commissioners of Fisheries, for the term commencing April 1, 1880; and

James Bintliff, of La Fayette county, to be a member of the State Board of Health and Vital Statistics, for the term commencing the first Monday of February, 1880.

WILLIAM E. SMITH,  
*Governor.*

The communication was referred to the committee on State Affairs.

## MESSAGE FROM THE ASSEMBLY.

By J. E. ELDRED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has concurred with the senate in the passage of

No. 5, S.,

A bill empowering commissioners of United States courts to administer oaths and take and certify the acknowledgment of deeds and other instruments in writing,

No. 9, S.,

A bill to authorize Thomas W. Gay, James A. Robb and Samuel H. Robb, their associates and assigns, to construct and maintain a dam across the Kickapoo river on land owned by them,

No. 20, S.,

A bill relating to the Milwaukee and Brookfield Macadamized Turnpike Company, and amendatory of section 1, chapter 279, laws of 1878,

M. C. No. 1, S.,

A memorial to congress for an appropriation to complete the breakwater and harbor at the entrance to the harbor of refuge in Sturgeon Bay, Wisconsin.

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BILLS ON THEIR THIRD READING.

No. 66, S.,

A bill to extend the time limited in chapter 281, private and local laws of 1870, entitled an act to authorize Diedrich Van Hollan to keep and maintain a ferry across the St. Croix river,

No. 71, S.,

A bill to legalize the acts of L. S. Rolleston, county clerk in and for the county of Columbia,

No. 72, S.,

A bill authorizing the towns of Sigel and Flambeau, in Chippewa county, Wisconsin, to levy a special tax for the purpose of paying off certain bonds, and empowering the board of supervisors of Chippewa county to adjust the indebtedness of said towns,

No. 85, S.,

A bill to authorize the commissioners of public lands to loan a portion of the trust funds of the state to the town of Shullsburg, La Fayette county,

No. 96, S.,

A bill to authorize the Iowa County Agricultural Society to donate to the Mineral Point Railroad company a piece of land,

No. 109, S.,

A bill to authorize William Wilson, Andrew Tainter, John H. Knapp, Henry L. Stout, Thos. B. Wilson and John H. Douglass, their associates, successors and assigns, to construct and maintain a dam across Hay river, in Barron county, on lands owned by the Knapp, Stout & Co. Company,

No. 110, S.,

A bill to authorize Henry L. Stout, John H. Douglass, William Wilson, John H. Knapp, Andrew Tainter and Thomas B. Wilson, their associates, successors and assigns, to erect and maintain a dam across Hemlock creek, in Barron county, on land owned by the Knapp, Stout & Co. Company,

Were severally read a third time and passed.

No. 31, S.,

A bill to provide compensation for completing the transcribing of the senate and assembly journals,

Was read a third time and passed.

The ayes and noes being required, it was decided in the affirmative; ayes 27; noes none; not voting 6.

*Ayes* — Senators Anderson, Blackstone, Chipman, Dering, Fifield, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, Kelly McFetridge, McGrew, Morgan, Paul, Price, Rankin, Richardson, Ryland, Scott, Smith, Sutherland, Thomas, Van Steenwyk, Weaver and Woodman — 27.

No. 36, S.,

A bill to appropriate the sum of five hundred dollars to the Wisconsin Dairymen's Association.

Senator Kellogg asked leave to offer an amendment.

Objection being made,

Senator Kellogg moved that the bill be recommitted to the committee on Claims,

Which motion was lost, and the bill was then read a third time and passed.

The ayes and noes being required, it was decided in the affirmative; ayes 27; noes 2; not voting 4.

*Ayes* — Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Grimmer, Haben, Houghton, Hyde, Kelly, McFetridge, McGrew, Morgan, Paul, Price, Richardson, Ryland, Scott, Smith, Sutherland, Thomas, Van Steenwyk and Weaver — 27.

*Noes.* — Senators Kellogg and Woodman — 2.

*Not voting* — Senators Quarles, Rankin, Sacket and Van Schaick — 4.

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#### BILLS ON THEIR ENGROSSMENT AND THIRD READING.

No. 187, S.,

A bill to legalize the action of the board of supervisors of the county of Polk in setting off and creating the town of Georgetown, in said county,

No. 193, S.,

A bill to amend section 670 of the revised statutes of 1878 and chapter 190 of the general laws of 1879, relating to the organization of towns,

Were severally ordered engrossed and read a third time.

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On motion of Senator McGrew, the senate adjourned.

THURSDAY, FEBRUARY 12, 1880.

10 o'CLOCK A. M.

The senate met.

The president in the chair.

Prayer by Prof. Butler.

The roll was called, and the following senators answered to their names:

Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, Kelly, McFetridge, McGrew, Morgan, Paul, Price, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Sutherland, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman.

The journal of yesterday was approved.

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The chief clerk was instructed to correct the journal so that M. C. No. 8, S.,

For an adequate, appropriate appropriation for the improvement of the harbor at Green Bay,

Introduced by Senator Kelly, would appear on the journal, it having been omitted from its proper place.

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### COMMUNICATIONS.

STATE OF WISCONSIN,  
*Department of State,*  
MADISON, *February 12, 1880.*

Hon. JAMES M. BINGHAM,

*President of the Senate:*

SIR: — In compliance with the provisions of section 147 of the revised statutes, I have the honor to transmit herewith to the legislature the following claims against the state requiring legislative action, to wit:

Claim of Geo. W. Perry for \$784.37.

Claim of Eau Claire Lumber Company, for \$358.18.

These claims, if allowed, will be chargeable to the General Fund.

Very respectfully,

Your obedient servant,

HANS B. WARNER,

*Secretary of State.*

## LETTERS, PETITIONS, Etc.

Presented and referred.

By Senator Kellogg:

Pet. No. 34, S.,

Of John Booth and 27 others, in favor of the division of Clark and Marathon counties, and the erection of the county of Webster.

To committee on Town and County Affairs.

By Senator Kellogg:

Pet. No. 35, S.,

Of G. J. Walbridge, D. S. Bullock and 25 others in favor of the division of Clark and Marathon counties, and the erection of the county of Webster.

To committee on Town and County Affairs.

By Senator Van Schaick:

Pet. No. 36, S.,

Of 235 citizens of Milwaukee for the adoption of resolutions in behalf of biennial sessions of the legislature.

To committee on State Affairs..

By Senator Van Schaick:

Pet. No. 37, S.,

Of 100 citizens of Milwaukee for the adoption of resolutions in behalf of biennial sessions of the legislature.

To committee on State Affairs.

By Senator Van Schaick:

Pet. No. 38, S.,

Of 208 citizens of Milwaukee for the phonological institute in said city.

To committee on Charitable and Penal Institutions.

By Senator Fifield:

Pet. No. 39, S.,

Of R. D. Pike, Union Mill Company, Ashland Lumber Company and others, of Ashland and Bayfield counties, in favor of Senate bills 140, 142, 143, authorizing dams on White river, in Bayfield county.

To committee on Incorporations.

By Senator Houghton:

Pet. No. 40, S.,

Of R. B. Salter and 50 others in favor of the division of Clark and Marathon counties and the erection of the county of Webster.

To committee on Town and County Affairs.

## REPORTS OF COMMITTEES.

The committee on Railroads, to whom was referred

No. 39, S.,

A bill to include the Chicago & Tomah railroad in the provisions of chapter 153 of the general laws of 1879, and amendatory of said chapter,

Have had the same under consideration, and report the same back with the recommendation that it be indefinitely postponed.

No. 188, S.,

A bill to authorize the Chicago, St. Paul & Minneapolis Railway Company to abandon, under certain conditions, that portion of its railway lying between North Wisconsin Junction and the St. Croix Lake,

Report the same back with the recommendation that it do pass.

H. S. SACKET,  
*Chairman.*

---

The committee on Engrossed Bills have examined and find correctly engrossed:

No. 27, S.,

A bill to amend section 4771 of the revised statutes of 1878, in relation to security of costs in criminal cases,

No. 30, S.,

A bill to authorize A. D. Lunt and P. M. Musser to build a dam across and otherwise improve Elk river, in Price county, for log driving purposes,

No. 113, S.,

A bill to authorize Thos. B. Wilson, Andrew Tainter, William Wilson, Henry L. Stout, John H. Knapp, John H. Douglas, their associates, successors and assigns, to erect and maintain a dam across Hemlock creek, in Chippewa county, on land owned by the Knapp, Stout & Co. Company,

No. 187, S.,

A bill to legalize the action of the board of supervisors of the county of Polk, in setting off and creating the town of Georgetown, in said county,

No. 193, S.,

A bill to amend section 670 of the revised statutes of 1878 and chapter 190 of the general laws of 1879, relating to the organization of towns.

GEO. W. RYLAND,  
*Chairman.*

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The committee on Education, to whom was referred

No. 122, S.,

A bill in relation to the apportionment of certain school moneys to district No. 3, of the town of Mequon, in the county of Ozaukee, for the year 1880,

Have had the same under consideration, and have instructed me to report the same back with the recommendation that the bill do pass.

EDWIN E. WOODMAN,  
*Chairman.*

On motion of Senator Morgan, the rules were suspended and the bill was read a third time and passed.

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The committee on Agriculture, to whom was referred  
No. 201, S.,

A bill to amend section 1480 of the revised statutes of 1878, relating to the prevention of the spread of noxious weeds,

Have had the same under consideration, and report the same back with amendment, and recommend its passage when so amended.

JOHN W. BLACKSTONE,  
*Chairman.*

---

The committee on Charitable and Penal Institutions, to whom was referred

No. 148, S.,

A bill to provide for the collection of statistics of pauperism and crime,

Have had the same under consideration, and have instructed me to report the same back with amendment and the recommendation that it do pass when so amended.

H. RICHARDSON,  
*Chairman.*

---

The committee on Enrolled Bills have examined and find correctly enrolled

No. 9, S.,

A bill to authorize Thomas W. Gay, James A. Robb, and Samuel H. Robb, their associates and assigns, to construct and maintain a dam across the Kickapoo river on land owned by them,

No. 20, S.,

A bill relating to the Milwaukee and Brookfield Macadamized Turnpike company, and amendatory of section 1, chapter 279, laws of 1878,

No. 5, S.,

A bill empowering commissioners of United States courts to administer oaths and take and certify the acknowledgment of deeds and other instruments in writing,

Mem. No. 1, S.,

A memorial to congress for an appropriation to complete the breakwater and harbor at the entrance to the Harbor of Refuge, in Sturgeon Bay, Wisconsin.

GEO. E. SUTHERLAND,  
*Chairman.*

The joint committee on Claims, to whom was referred

No. 154, S.,

A bill to appropriate to the Bell Telephone Company of Madison, Wisconsin, a sum of money therein named,

Have had the same under consideration, and have instructed me to report the same back with the recommendation that the bill be indefinitely postponed.

Messrs. Kelly, Stone and Barnes dissenting.

No. 99, S.,

A bill to appropriate a sum of money therein named to Geo. H. Paul, for his expenses in defraying his right to a seat in this senate, against the claim made thereto by David J. Price,

Have had the same under consideration, and have instructed me to report the same back with the recommendation that it do pass.

No. 11, S.,

A bill to amend section 329 of chapter 20 of the revised statutes of 1878, relating to the publication of the laws,

Have had the same under consideration, and have instructed me to report the same back with the recommendation that it be indefinitely postponed.

W. T. PRICE,  
*Chairman.*

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The committee on Judiciary, to whom was referred

No. 172, S.,

A bill to amend section 1797 of the revised statutes, in relation to the salary of the clerk of the railroad commissioner,

Have had the same under consideration, and instruct me to report the same back with the recommendation that it be re-committed to the committee on Railroads.

No. 118, S.,

A bill relating to change of venue, and to provide for the assignment of judges of circuit courts,

No. 37, S.,

A bill to amend section 2626, revised statutes of 1878, relating to change of venue in civil cases, and to amend section 4680, revised statutes of 1878, relating to the changes of venue in criminal cases,

And recommend that they be indefinitely postponed.

No. 219, S.,

A bill to amend section 1 of chapter 80 of private and local laws of 1855, entitled an act supplementary to an act to incorporate the Milwaukee Mechanics' Mutual Insurance Company, relating to restrictions in the bringing of suits,

And recommend that it do pass.

H. E. HOUGHTON,  
*Chairman.*

So ordered as to No. 172, S.

The committee on Incorporations, to whom was referred  
No. 160, S.,

A bill to authorize A. E. Sawyer, Daniel Austin and Richard Dewhurst to build and maintain a dam across Black river,

No. 177, S.,

A bill to authorize John H. Knapp, Henry B. Stout, Andrew Tainter, William Wilson, Thomas B. Wilson and John H. Douglas, and their associates, successors and assigns, to erect and maintain a dam across the Red Cedar river, on lands owned by the Knapp, Stout & Co. Company,

No. 200, S.,

A bill to amend chapter 58 of the private and local laws of 1859, entitled an act to incorporate the Madison Gymnastic Association,

No. 213, S.,

A bill to amend chapter 3 of chapter 72 of the private and local laws of 1858, entitled an act to incorporate the city of Ripon,

Have had the same under consideration, and report them back with the recommendation that they do pass.

No. 217, S.,

A bill to amend the subdivisions entitled additional powers of peculiar corporations, of chapter 86 of the revised statutes of Wisconsin, entitled of the organization of corporations,

With the recommendation that it be recommitted to the Judiciary committee.

No. 114, S.,

A bill to authorize Thos. B. Scott to build a dam or dams on Prairie river, in Lincoln county, Wisconsin,

With amendments, and recommend that it do pass when so amended.

No. 13, A.,

A bill to authorize Frederick R. Stees to construct a dam across Vermillion river, in Barron county,

Recommend that it be concurred in.

GEO. GRIMMER,  
*Chairman.*

So ordered as to No. 217, S.

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#### BILLS READY FOR A THIRD READING.

No 12, S.,

A bill relating to fences,

No. 23, S.,

A bill to amend sections 3875 and 3878 of the revised statutes of 1878, relating to the sale of lands by executors and administrators,

No. 48, S.,

A bill to amend section 4415, revised statutes 1878, relating to punishment for larceny,

No. 112, S.,

A bill to authorize John H. Knapp, Andrew Tainter, Thomas B.

Wilson, Henry L. Stout, William Wilson and John H. Douglas, their associates, successors and assigns, to construct and maintain a dam across Hemlock creek, in Chippewa county, on lands owned by the Knapp, Stout & Co. Company,

No. 120, S.,

A bill authorizing the Hamburg Town Fire Insurance Company to reinsure the Vernon County Scandinavian Mutual Insurance Company,

Were severally read a third time and passed.

No. 1, S.,

A bill to regulate the practice of dentistry in the state of Wisconsin,

Was read a third time and passed.

The ayes and noes being demanded, it was decided in the affirmative; ayes, 17; noes, 15; not voting, 1.

The vote was as follows:

*Ayes* — Senators Anderson, Blackstone, Burrows, Chipman, Dering, Fifield, Griffin, Grimmer, Hyde, Kellogg, Kelly, McFetridge, Sacket, Scott, Sutherland, Van Steenwyk and Woodman — 17.

*Noes* — Senators Bennett, Carter, Haben, Houghton, McGrew, Morgan, Paul, Price, Rankin, Richardson, Ryland, Smith, Thomas, Van Schaick and Weaver — 15.

*Not voting* — Senator Quarles — 1.

No. 13, S.,

A bill to provide for the purchase of Webster's Unabridged Dictionaries,

Was read a third time and passed.

The ayes and noes being demanded, it was decided in the affirmative; ayes, 27; noes, 5; not voting, 1.

The vote was as follows:

*Ayes* — Senators Bennett, Blackstone, Burrows, Chipman, Fifield, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, Kelly, McGrew, Paul, Price, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Sutherland, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman — 27.

*Noes* — Senators Anderson, Carter, Dering, McFetridge and Morgan — 5.

*Not voting* — Senator Quarles — 1.

No. 84, S.,

A bill to legalize the official acts of Alois Neuburg, a justice of the peace in the county of La Crosse,

Was read a third time and passed.

The ayes and noes being demanded, it was decided in the affirmative: ayes, 30; noes, 1; not voting, 2.

The vote was as follows:

*Ayes* — Senators Anderson, Bennett, Blackstone, Burrows, Chipman, Dering, Fifield, Griffin, Grimmer, Houghton, Hyde, Kellogg, Kelly, McFetridge, McGrew, Morgan, Paul, Price, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Sutherland, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman — 30.

*Noes* — Senator Carter — 1.

*Not voting* — Senators Haben and Quarles — 2.

## BILLS ON THEIR THIRD READING.

No. 15, A.,

A bill for the protection of passengers on railroad cars, and conferring police powers on conductors and agents in certain cases,

Was ordered to a third reading.

The amendments to

No. 44, A.,

A bill to amend section 4765 of chapter 194 of the revised statutes of 1878, entitled of proceedings in criminal cases in justices' courts,

Were adopted, and the bill was ordered to a third reading.

No. 4, A.,

A bill relating to proceedings to enforce liens on logs in certain cases,

Was recommitted to the Judiciary committee.

---

BILLS ON THEIR ENGROSSMENT AND THIRD READING.

No. 73, S.,

A bill to create the Kewaunee Harbor Commission and define their duties,

No. 108, S.,

A bill to authorize the justices of the peace elected in the several wards of the city of Plymouth, to keep an office and perform their duties in any part of said city,

No. 144, S.,

A bill to amend section 1979 of chapter 90 of the revised statutes of 1878, relating to organization for protection against fires,

No. 151, S.,

A bill to confer certain police powers upon agents of the Wisconsin Humane Society,

Were severally ordered engrossed and read a third time.

The amendments to

No. 18, S.,

A bill to appropriate to the commissioners of fisheries a certain sum therein named,

No. 42, S.,

A bill to amend section 2437 of the revised statutes, in relation to phonographic reporters,

No. 43, S.,

A bill to authorize the superintendent of public property to furnish stationery and postage stamps to the employes of the senate and assembly, and to make an appropriation therefor,

Were adopted, and the bills were severally ordered engrossed and read a third time.

No. 89, S.,

A bill to amend chapter 131, revised statutes of the state of Wisconsin, relating to court commissioners,

Was indefinitely postponed.

No. 106, S.,

A bill relating to the division of towns into election districts, and amendatory of section 27, chapter 5, of the revised statutes of 1878,

Senator Rankin moved to indefinitely postpone the bill. The ayes and noes being demanded, it was decided in the affirmative, ayes, 19; noes, 13; not voting, 1.

The vote was as follows:

*Ayes* — Senators Anderson, Bennett, Carter, Chipman, Griffin, Grimmer, Haben, Houghton, Kellogg, McGrew, Morgan, Rankin, Richardson, Ryland, Smith, Sutherland, Thomas, Van Steenwyk and Weaver — 19.

*Noes* — Senators Blackstone, Burrows, Dering, Fifield, Hyde, Kelly, McFetridge, Paul, Price, Sacket, Scott, Van Schaick and Woodman — 13.

*Not voting* — Senator Quarles — 1.

No. 184, S.,

A bill to allow general accident insurance companies to do business in this state,

With pending amendment, was recommitted to the committee on Finance, Banks and Insurance.

No. 261, S.,

A bill to allow a certain sum of money to Simeon Mills, late treasurer of the State Hospital for the Insane,

Was ordered engrossed and read a third time.

The ayes and noes being demanded, it was decided in the affirmative; ayes, 16; noes, 14; not voting, 3.

The vote was as follows:

*Ayes* — Senators Anderson, Bennett, Blackstone, Burrows, Fifield, Grimmer, Kellogg, Kelly, Paul, Rankin, Sacket, Scott, Smith, Sutherland, Van Schaick and Woodman — 16.

*Noes* — Senators Chipman, Dering, Griffin, Haben, Houghton, Hyde, McFetridge, McGrew, Morgan, Price, Richardson, Ryland, Van Steenwyk and Weaver — 14.

*Not voting* — Senators, Carter, Quarles and Thomas.

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On motion of Senator Bennett,  
The senate adjourned.

FRIDAY, FEBRUARY 13, 1880.

10 o'CLOCK A. M.

The senate met.

The president in the chair.

Prayer by Prof. Butler.

The roll was called, and the following senators answered to their names:

Senators Anderson, Bennett, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, Kelly, McFetridge, McGrew, Morgan, Paul, Price, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Sutherland, Thomas, Van Schaick, Van Steenwyk and Woodman.

The journal of yesterday was approved.

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#### LEAVE OF ABSENCE

Was granted to

Senator Kellogg indefinitely.

Senator Blackstone till Tuesday morning.

Senator Bennett till Monday evening.

Senator Fifield till Tuesday.

Senator Van Steenwyk till Monday evening.

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#### COMMUNICATIONS.

*Memorial of the State Board of Health for the passage of a law regulating the inspection, sale and use of illuminating oils.*

*To the honorable, the legislature of the state of Wisconsin:*

GENTLEMEN: The undersigned, members of the State Board of Health, without any personal interest in senate bill No. 69, entitled an act regulating the inspection, sale and use of illuminating oils from petroleum and other sources, nevertheless deem it a duty by virtue of the trust confided to them in the general supervision of the interests of the health and lives of our citizens, to present as briefly and clearly as possible some facts which may be useful to you as legislators, and which seem to us not only to justify but to demand such regulation as that proposed by the bill in question.

That accidents from the use of illuminating oils have been of late very frequent in our state, is a fact to which the various news-

papers published in Wisconsin bear witness, and which your own daily reading must have made known to you. That we have no law regulating the sale of such oils that can be considered as efficient, is too apparent to need argument. Stringent laws on this subject exist in states adjoining our own, and while "kerosene accidents" are rare in those states, it is a notorious fact that Wisconsin has held the unenviable position of the receiver and consumer of grades of kerosene which have been rejected, and the sale of which has been forbidden in those states because of their dangerous character. Some of your own number know that in one instance, at least, a whole cargo of oil which had been plainly branded as "Rejected" in another state, was shamelessly sold in this state, with the inspector's brand uneffaced!

It is not probable that any of you will question the propriety — the urgent need of some legislation that will be effectual in protecting the lives and property of our citizens from the danger attendant upon the sale and use of such low grades of illuminating oils as those with which our markets are now flooded, but we are informed that opposition to the bill in question has been manifested, and probably is now being pressed upon your attention. Knowing nothing of the arguments that may be urged in support of this opposition, we nevertheless venture the assertion that none of it comes spontaneously from the people who are vitally interested in the matter. Indeed, the only arguments which may be anticipated from them, are those growing out of the fear, 1st. That the proposed legislation may increase the cost of illuminating oils; and 2d. The belief that the illuminating qualities of high-test oils are not good. We will endeavor to answer both these arguments, and show their full force, in the course of this memorial.

#### WHAT IS KEROSENE?

This name was first brought into use less than 40 years ago as a trade mark for an illuminating oil, manufactured in limited quantities from coal. This product was also called coal oil, a name still commonly applied to the kerosene of our markets, though that article is now exclusively obtained from petroleum, the discovery and utilization of which for this purpose, though dating back only twenty years, has revolutionized the methods of artificial illumination in a great part of the civilized world. It is entirely safe to say that from 80 to 90 per cent. of the population of this state depend on kerosene as their only available means for that purpose. Properly refined and divested of the adulterants which, on the one hand, render its use dangerous to life, and on the other, impair its illuminating powers, it is unquestionably the best illuminant, and one of the greatest blessings of modern times; so frequently, however, is its use attended by fatal consequences, even where no valid charge of careless or improper handling of the article can be made, that the most careful consideration is due to the question whether this great degree of danger is inseparable from its use, and if it be not, what legislation is needed for the protection of more than a million of our people who are dependent upon it.

Crude petroleum, or petroleum as it is obtained from the earth, though known to commerce, is unknown to the consumers of its products. It is a complex fluid varying very considerably in character in different localities, its value everywhere depending chiefly upon the amount of kerosene that can be obtained from it. This is procured by a process of distillation, in the course of which the lighter constituents of crude articles, known as rhigolene, gasolene and naphthas, are first vaporized under graduated degrees of heat and condensed into separate receivers. Kerosene comes next, and is condensed in a similar way, after which come the heavier constituents of the crude oil, including paraffine, any non-volatile residuum remaining behind. Now, though these several products are thus distilled at differing degrees of heat, they insensibly shade into each other; the point at which the production of naphtha ceases and that of kerosene begins, being determined by the specific gravity of the fluid rather than by the temperature at which it is distilled.

Since both the lighter and the heavier constituents of petroleum are nearly valueless at the refineries, the refiners "constantly labor under the temptation to throw the largest amount of each into that which they can sell as kerosene," and in the great establishments where thousands of barrels are refined daily, the resulting profits of such an operation are simply enormous, even when a comparatively small amount of these materials, which are really adulterants, are thus introduced, and this can be done to a very considerable extent without altering the appearance of the kerosene to a degree susceptible to the consumer; the difference being that, in proportion as the lighter products of petroleum are thus incorporated into the oil, it burns faster and more freely, and becomes more explosive, while its illuminating qualities are impaired in proportion as the heavier products are introduced.

Now the reason why we do not have safe and good illuminating oils, is simply because there is not enough care or honesty used in the process of refining. That it is both possible and practicable to have oils of good illuminating power, and which are at the same time perfectly safe, is beyond any question. This is evident to those of you who use the higher grade of illuminating oil known as Headlight, Astral oils, etc., which are nothing more than good grades of kerosene. Consumers have here to be on their guard, however, as we believe that the same cupidity which leads to the adulteration of oils in ways already specified, leads also to the attaching of these names in many cases at the pleasure of the dealer, to any grade of oil whatever. The mere name cannot, therefore, be regarded as being any guarantee of either the quality or the safety of the oil. We have known it to be sold under the name of the Best Headlight, which flashed at 81° and took fire at 92°.

#### TESTING OILS.

It being established that good and safe oils are desirable, it becomes important to know how we may examine them so as to know whether they are of this character or not. For this purpose

two forms of test are necessary, the one to determine its explosive character, the other to ascertain its illuminating qualities. Kerosene is not, as many suppose, inflammable at ordinary temperatures; a kerosene that is safe to use will extinguish a burning match or similar flame as readily and as quickly as water. No oils but those which are adulterated by naphtha, and thus rendered dangerously explosive, can be made to burn or to give off vapors that will burn until they are first heated. Tests to determine the presence of this adulterant are of two kinds, and are called the flash test, the object of which is to determine the temperature at which explosive vapors are given off, and the fire test, the purpose of which is to ascertain the temperature at which the oil will take fire.

Between these two points there exists no constant relation. In our experiments some oils have given off explosive vapors and taken fire at very nearly the same temperature, while in others a difference of 25° Fah. has been found. Dr. Baker, and Messrs. Coleman and Larned of Michigan, obtained similar results; Dr. Hunt, of New Jersey, in examining five samples of oil which have exploded in that state, found that the flash and fire tests varied from each other from 9° to 24°, while Prof. Chandler, of New York, in his extensive course of experiments several years ago, observed a difference of even 50° Fah. It will always be found true, however, that where a difference exists, the flashing point is the lowest; hence an oil that has a very high burning point or fire test, may yet emit explosive vapors at a very low temperature.

It is now generally conceded that the flash test is the only one worthy of confidence. Prof. Chandler says: "The flashing test should be the only one mentioned in laws framed to prevent the sale of dangerous oils." Dr. Hunt justly speaks thus: "It is most unfortunate that the fire test was ever introduced. It means nothing; it confuses the public, and has furnished the means of evading the just penalty of laws against the sale of dangerous kerosene." Says Prof. Cornwall: "The burning point is of little value in determining the safety of an oil, because the addition of one per cent. of naphtha will not materially affect it, while the same addition will lower the flashing point 10 degrees in a really good oil."

#### OIL TESTERS.

All oil testers are constructed in somewhat the same way as the common glue pot; there is an oil cup (corresponding to the glue cup), in which the oil to be tested is placed, and this is set into a vessel containing water through which heat is applied, technically called a "water-bath." The oil cups differ materially, however, in different instruments, which are called open or closed testers, according as the oil cups are covered or open. The process of testing is simple, and the principle easy to understand, but great care in manipulation is required, and in the hands of inexperienced operators fallacious results are easily obtained; a fact which seems to furnish a conclusive objection to the appointment of inspectors by towns, and a valid argument for the appointment of a state inspector, who shall

not only appoint his subordinates, but issue definite instructions to them, supervise their operations, and be responsible for their acts.

In all methods of testing, the bulb of a thermometer is inserted into the oil under inspection; heat is then gradually applied through the water bath until the flashing or burning point is reached, which the operator ascertains by the frequent application of a suitable flame, carefully noting meanwhile the indications of the thermometer. In the instrument known as Tagliabue's open tester (more frequently called the commercial tester), the oil is placed in a small open cup, which is filled to the brim, or as nearly so as allowance for the expansion of the oil will admit, and the method of testing is by passing the flame of a small, hard wood taper rapidly over and at a small distance above the surface of the oil with the rise of each one or two degrees of temperature.

To comprehend the fallacies of this process it must be understood that the vapors from even the lightest of the petroleum products are very considerably heavier than common air, and as no screen or protection of any kind is provided to retain these vapors, the result is, that the greater part of them roll off from the surface of the oil as fast as they are evolved, precisely as water would roll off from a table and fall toward the floor. In fact, they can be made to take fire only when they are evolved too rapidly to escape thus, and are "heaped up," so to speak, to a considerable height above the surface of the oil and are thus forced to come into contact with the flame! Again, there being no guide whatever to regulate the distance at which the flame shall be passed above the surface of the oil, there is here an opportunity for error or for fraud, since it is manifest that the flame may be held at such distance above the surface as to make a low test oil register a test of very high degree.

Lest we be misunderstood in this matter, we will say that the inspector is supposed to pass the flame over the oil at the uniform distance of one-half inch from its surface; as, however, he has no guide for this other than his own eye it is evident that is room for honest error even when no fraud is intended. As a matter of fact, one member of this board has seen a test of oil made by an authorized and presumably an expert and honest inspector, in which his unsteadiness of hand caused him to bring the flame into what he called too close proximity to the oil, which took fire at several degrees below the point branded upon the barrel (110 deg.), whereupon he blew out the flame and holding the taper at a greater distance from the oil, repeated his experiments, which finally resulted in his declaring that the oil would properly bear a test of 112 deg.!

It would be difficult, in our judgment, to devise an instrument more entirely unworthy of confidence, and better adapted to serve the purposes of dishonest dealers. A much better and more trustworthy — indeed, a very good form of tester — is that used in England, in which a shallow vapor chamber is formed by the rim of the water bath projecting above the oil cup; stretched across the top of this vapor chamber is a thin wire, as a gauge of the distance at which the flame shall be kept from the oil; and surrounding the larger part of the instrument is a screen which measurably

prevents the dissipation, by currents of air, of the vapors evolved from the oil, which may be done, when the commercial tester is used, by the breath of the operator.

We have experimented considerably with what are known as closed testers. One of these, known as "Foster's automatic tester," is legalized under the inspection laws of Ohio. It is constructed with a vapor chamber above the oil-cup, upon which a cover is closely soldered; in the cover there are two openings, one of which admits the passage of the thermometer and also allows air to enter and mingle with the oil vapors. In the other opening, which is surrounded by a short chimney, a small taper is kept constantly burning; at the point where these vapors form an explosive mixture with the air entering as before described, the mixture explodes with an audible puff, at the same time extinguishing the taper. Of the merits of this instrument we are not prepared to speak. In our experiments it has not, in different series of tests made with oil from the same can and conducted with the greatest care, given uniform results. Possibly this may be due to some undiscovered defect in the particular instrument that we used, though it was received from the hands of the manufacturers direct.

There are yet other forms of testers, but the one which, of all others, we have found most satisfactory in every respect, giving in a series of experiments such as that above described, the most uniform results, and very closely approximating the results obtained by the British tester, is the instrument devised by the Michigan State Board of Health, and now legalized by the oil inspection laws of that state. An examination of this instrument will show that it approximates very closely, when in use, to the conditions existing in a common bracket lamp partly emptied by actual use; indeed, such a lamp (one having two openings in the top) may be very satisfactorily substituted for the oil cup in the tester in question, and this has been repeatedly done by Dr. Baker, in his experiments. The vapor-chamber of this instrument has a cover which may be easily removed, so that it can be used if desired in making either the flash or the fire test.

The board of health of this state have recommended this instrument for adoption in Wisconsin, with certain minor changes in construction, which experience has shown to be desirable.

As has been said, the flash test is the only one to be relied upon, and we have now to answer the question, which of all others is of the greatest practicable importance, i. e.

#### WHAT IS A SAFE OIL?

There are many things to be considered in answering this, aside from the explosions which occur when lamps are quietly burning upon our tables. Such accidents are comparatively rare, yet several have occurred in this state within the past year, and others will doubtless occur as long as oil of the villainous quality of that which has flooded Wisconsin markets of late continues to be sold. Explosions occur from the formation of gases in the lamp when these gases are mixed with air in certain definite proportions.

It has been proven conclusively that the temperature of the oil in the body of the lamp has little to do with producing explosions, and that the evolution of gas will be determined by the hottest part of the lamp with which the oil can come in contact. This part is always the metallic portions of the lamp, which, "when the combustion is imperfect from any cause, become excessively hot." Says Dr. Baker: "Explosions may and do occur when the temperature of the oil in the lamp is far below its flashing point, because the oil which is brought constantly by the wick into contact with the heated wick-tube, is there being constantly vaporized." Dr. Baker's experiments with the temperature of the collars of lamps from which the chimneys had been removed purposely or by accident, have shown how rapidly they become heated under such circumstances, the wick-tubes also participating in the increased heat. If now, by any sudden jar or movement, the oil be splashed against these heated parts, explosive vapors must be formed, if the flashing point of the oil be not so high as to be above the temperature reached by the metallic fittings.

When low test oils are used very many accidents occur in precisely this way, and "in estimating the safety of an oil, we must consider all the accidents which are likely to happen." No oil that the body of the people can obtain, can be considered as absolutely safe when such accidents as broken chimneys or lamps and spilt oil take place; but the difference in degree of safety and of danger as between oils of high and low test, under even such circumstances is almost infinite. A few weeks since a member of this board was present at a crowded assembly of children, when a burning lamp was caught by the dress of a little girl and thrown to the floor. It happened that the oil was of good quality, and although the lamp was broken and the oil spilled, inflammable vapors were not given off with sufficient rapidity to ignite the body of the oil, and the fire was extinguished without difficulty. Had that lamp been filled with a poor variety of inflammable oil, of which we have seen very many specimens, the entire probability is, that a result would have followed which would have sent a thrill of horror through the whole country.

We are frequently asked whether oil that will bear a flash of 120° is not a safe oil. That an oil which will bear this test in the instrument we have recommended for adoption, will give a comparative, perhaps a large degree of safety, we freely admit. In our experiments with oils which have actually exploded with disastrous effect, we have found none which have even nearly approached this point, but the testimony of men of large experience in other states is that the conditions which would tend to make explosions possible, exist with too great frequency where oil of 120° flash test is used to make its use safe, and that a flash test of 140 deg. is the lowest that can be safely recommended.

#### ARE HIGH TEST OILS GOOD ILLUMINATORS?

An experience of several months in the use of oils having a flash test of 140 deg. or more, enables us to answer this ques-

tion very positively in the affirmative. If the people demand an oil of this grade that will burn as clearly and as well as oils of a lower test, there is no difficulty in securing it. There is greater need of a chill test, with oils of such grade, than with those of lower quality, though we have found paraffine, the chief adulterant which tends to impair the illuminating powers, present in large quantity in oils of very low grade. Such oil thickens on exposure to a temperature a few degrees below the freezing point, and is often spoken of as being frozen. A chill test exposes this fraud, and demonstrates the presence of the adulterant. Paraffine, when present, impairs very greatly the flow of an oil through the wick, thus giving an insufficient supply to the flame; under such circumstances the wick chars and becomes crusted, the lamp smokes, and if the quantity of paraffine be great, finally goes out altogether.

We have heard many complaints of this character since it has been known that we were investigating the subject, and samples of oil have been sent to us the flash test of which was not over 75 deg., but which yet thickened on exposure to cold to nearly the consistency of lard. But the fact that paraffine makes oils bad illuminators is not the only evil, nor in many cases is it the worst one caused by its presence. The fact that such oils do not flow freely through the wick causes the wick tubes or other metallic portions of the lamps to become unduly heated, and thus greatly increases the danger of explosion from the formation of gases when the oil comes into contact with such parts of the lamp, as has been already explained. We therefore regard the chill test as being necessary for securing oils which are at once safe and good illuminators.

#### THE COMPARATIVE COST OF HIGH AND LOW GRADE OILS.

A good and safe oil will cost more per gallon than a cheap and dangerous one. If we can judge from the figures given us by an extensive wholesale dealer in oil, we should say that the increased cost of such oils as we recommend would be from five to eight cents per gallon over the cost of the so-called 110 deg. test oils. At the present, or at any prospective prices of the article, this would amount to a very insignificant sum in the case of any individual consumer. But the additional cost is more apparent than real. We have no data concerning the comparative consumption of high and low test oils, but a moment's reflection will convince any one that a given amount of oil largely adulterated with naphtha must be consumed more quickly than an equal quantity of an oil free from that volatile substance. Prof. Kedzie, of Michigan, has, however, put the matter beyond all doubt by a carefully conducted series of experiments.

Taking exactly similar lamps he filled them with oils of different grades, weighed both lamps and oils, and kept them burning with wicks of equal height, and all other conditions as exactly the same as possible; after a given time the lamps and oil were again weighed to ascertain their respective rates of consumption. The result of many experiments showed that a high test oil, costing thirty-

five cents per gallon, would burn one-fourth longer than a low test oil, costing twenty-eight cents per gallon, while measurements of "the amount of light, showed the high test oil to be quite as cheap as the low test." Prof. Chandler, of New York, has also proven the same thing. Prof. Peckham, of Minnesota, believes that oil with a flash test of 150 deg., is actually cheaper than the so-called 110 deg. oil, measured in the same way, and says that "good kerosene at fifty cents per gallon, is the cheapest light under heaven. Get suitable lamps, keep them well filled and trimmed. Do not use wicks that are old and too short, nor burners that are worn out, and be thankful that there are those who are willing to stand between the people and dangerous kerosene."

There yet remains one class of illuminants of which specific mention must be made. They are those products of petroleum sold under various fanciful names, such as Petroleum Fluid, Carbon Fluid, Rose Oil, Gasolene, and similar deceptive titles. These have been extensively used in other states, and, to a limited extent, are now used in Wisconsin. The strongest assertions are made by their venders that they are non-explosive; we have had no experience in verifying or refuting these claims, but heartily agree with those who have examined the articles in question carefully, and pronounce them, without exception, highly dangerous. Their intensely inflammable character (some taking fire when cooled below the freezing point of water), is sufficient in itself to condemn them whether they are explosive or not. Insurance companies will take no risks where they are burned, and express companies refuse to give them transportation. We believe that their sale should be prohibited under the same penalties as attach to that of illuminants for which no non-explosive character is claimed.

In further proof and substantiation of the fact that our people are suffering a grievous evil through the sale of dangerous and explosive grades of oil, we present the following tabular statement of tests made by us. In all of these examinations, the Michigan tester was used, though in many instances, for purposes of comparison, samples of the same kerosene were tested by other instruments. The experiments numbered 9, 10, 32, 33 and 34 were made by Dr. Griffin; all others were made in the secretary's office. Those marked thus \*, were sent from various parts of the state as samples which had exploded in actual use. During the few months in which we have been specially interested in this subject, we have the record of 12 persons killed and 11 who have been injured by explosions within our own state, together with indirect evidence of many other cases. Such oils as were not sent to us for examination were purchased at different times, some care having been taken to obtain samples representing different cargoes.

No. of experiment.	Inspector's mark or brand.	Flash test.	Fire test.	Number of experi- ment.	Inspector's mark or brand.	Flash test.	Fire test.
1	110° fire....	65°	79°	*22	Unknown .	70°	81°
2	.....do ....	67°	85°	*23	..... do....	74°	84°
3	.....do ....	68°	81°	*24	..... do....	77°	84°
4	.....do ....	70°	86°	25	..... do....	69°	90°
5	.....do ....	57°	70°	*26	..... do....	73°	80°
6	.....do ....	58°	74°	27	..... do ....	106°	120°
7	.....do ....	70°	72°	*28	Fire, 120°..	70°	84°
8	.....do ....	75°	70°	*29	..... do....	85°	89°
9	.....do ....	93°	98°	30	Fire, 150°..	91°	118°
10	.....do ....	80°	84°	31	..... do ....	95°	128°
11	.....do ....	85°	78°	32	... . do....	118°	128°
*12	.....do ....	77°	90°	33	Fire, 175°..	130°	147°
*13	.....do ....	95°	105°	34	... . do....	134°	152°
*14	Fire, 112°.	82°	86°	35	Fire, 150°..	127°	.....
*15	F.110°, 112°	70°	79°	36	Fire, 185°..	140°	165°
16	Fire, 115°.	79°	90°	37	Headlight .	123°	125°
17	.....do ....	72°	88°	38	..... do ..	81°	92°
*18	Unknown..	82°	86°	39	W. W. Mich	130°	149°
*19	.....do ....	85°	89°	40	P. W. Mich.	130°	150°
20	.....do ....	73°	.....	.....	.....	.....	.....
*21	.....do ....	62°	70°	.....	.....	.....	.....

We have thus endeavored to present to you briefly such information as we believe to be entirely trustworthy, and which may be serviceable to you in estimating the need, which we believe to be an urgent one, for legislation on a subject which so closely affects almost every household in the state, for all of which we solicit your earnest attention.

With great respect,

E. L. GRIFFIN,  
J. T. REEVE,  
J. FAVILL,  
S. MARKS,  
J. BINTLIFF,  
H. P. STRONG,  
G. F. WITTER,  
*State Board of Health.*

*February, 1880.*

CHIPPEWA FALLS, *February 12, 1880.*  
*Office of City Clerk.*

I hereby certify that the within is a true copy of a resolution offered by Alderman Layon, at a regular meeting of the common

council, held February 11, 1880, and which was adopted by a unanimous vote.

Given under my hand and seal this 12th day of February, A. D. 1880.

E. H. COLMAN,  
*City Clerk.*

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WHEREAS, There is now pending in the legislature of the state of Wisconsin a bill known as bill No. 181, senate, being a bill authorizing the city of Eau Claire to build booms and piers across the Chippewa river at said city of Eau Claire, of such character and strength as to stop all logs floating down said river; and

WHEREAS, The building of the piers and booms contemplated by said bill will cause logs floating down said river to jam on said booms and piers and fill said river from land to land for a great distance, above said booms and piers and below the city of Chippewa Falls, whereby it will be impossible to float lumber down said river from the mills above said city of Eau Claire; and

WHEREAS, Said objections will tend to destroy lumber manufacturing above said city of Eau Claire, and especially to our city of Chippewa Falls, to the great damage of the people of this city, and county of Chippewa; therefore be it

*Resolved*, That we, the common council of said city of Chippewa Falls, protest against the passage of said act, and call upon every person interested in the welfare of our people, to do all in his power to assist our representatives now in the legislature, in representing to the members of the senate and assembly, the great injustice that the passage of said act would do to the manufacturing interest above said city of Eau Claire, and especially at and in the vicinity of the city of Chippewa Falls.

*Be it further resolved*, That it is the sense of this council that the proper place to stop the logs in said Chippewa river, for the mills at Eau Claire and above, is at Paint creek or Eagle Rapids, above the city of Chippewa Falls, where there is ample room to hold the logs and drop them down to the mills, as needed, and pass down the river logs as fast as they are needed at Beef Slough, all of which can be done at said points, without in any manner interfering with the running of lumber down said river for the mills. That the building of the works contemplated by said bill would tend to ruin the business of the mills above said works and all other business depending on said mills.

*Be it further resolved*, That the fact that said city of Eau Claire, in violation of chapter 231 of the laws of 1876, constructing, or allowed to be constructed, at said city of Eau Claire in said Chippewa river, booms to be used, and that were used during the season of 1879 to store logs in the main channel of said river, whereby said channel for months during the season of 1879 was entirely closed; and the further fact that said city during said season of 1879 placed, or allowed to be placed, other booms above said sheer boom across said river, thereby preventing the navigation thereof

with lumber rafts for a large portion of the time, and without any authority whatever, shows that there is no safety in allowing to said city the privilege of constructing, and that the franchise heretofore granted to said city to build works under said chapter 231 of the laws of 1876, should be taken away from said city on account of the previous abuse thereof.

*Be it further resolved*, That the said city of Eau Claire, in asking the passage of a bill, has violated a solemn pledge made when the bill was passed authorizing the dam across the river at said city, that a free and unobstructed channel should be kept open, and that no structure should be placed in the river at said city of Eau Claire that would prevent the free passage of lumber rafts down said river at all times.

*Be it further resolved*, That a copy of this resolution be sent to Lieutenant-Governor Bingham, Hon. Thomas B. Scott and Hon. H. C. McRae.

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### RESOLUTIONS INTRODUCED.

By Senator Bennett:

No. 22, S.,

*Resolved*, That one thousand copies of the memorial of the state board of health for the passage of a law regulating the inspection, sale and use of illuminating oils, be printed, and that five hundred copies of the same be furnished to the state board of health for distribution.

On motion of Senator Richardson,

It was referred to committee on Manufactures and Commerce.

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### LETTERS, PETITIONS, Etc.

By Senator Sutherland:

No. 41, S.,

Petition of Wm. H. Young for the passage of No. 14, S.

To committee on Incorporations.

By Senator Bennett:

No. 42, S.,

Petition of the State Board of Health for the passage of a law regulating the inspection, sale, and use of illuminating oils.

To committee on Manufactures and Commerce.

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### REPORTS OF COMMITTEES.

The committee on Judiciary, to whom was referred

M. C. No. 7, A.

Memorial to congress for sale of a portion of the Menomonee reservation in the county of Shawano,

M. C. No. 8, A.,

Memorial to congress for an adequate appropriation for the improvement of the harbor of Green Bay,

Have had the same under consideration, and instruct me to report the same back with the recommendation that they do pass.

No. 97, S.,

A bill to amend section 843 of chapter 39 of the revised statutes of 1878, relating to constable fees,

And recommend that it be indefinitely postponed.

H. E. HOUGHTON,  
*Chairman.*

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The committee on Judiciary, to whom was referred

No. 63, S.,

A bill relating to writs of mandamus and prohibition, and amendatory of section 3452 of the revised statutes of 18.8,

Have had the same under consideration, and have instructed me to report the same back with amendments, and recommend that the same do pass when so amended, and beg leave to submit the following in support of said report.

H. E. HOUGHTON,  
*Chairman.*

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The majority of the committee reporting favorably upon this bill deem it their duty to state the scope and object of the bill, and to give some of the reasons which govern them in recommending its passage as amended.

The bill, in substance, provides that whenever a board of canvassers of this state shall fail or neglect to perform the duties imposed upon it by law in canvassing the votes, and issuing certificates of election to members of the legislature, members of congress or presidential electors, or whenever it shall be shown that the actual vote differs from the decision of such board, the supreme court of the state, the highest judicial tribunal of the state, shall compel such canvassing officers to go forward and do that which is enjoined upon them by the laws of the state and the positions they hold; and the court can go behind the returns in order to determine the actual vote. And the bill further provides the necessary proceedings to determine the issues of fact that shall arise.

The good policy of the law is, to a majority of the committee, obvious from a mere statement of its object and purpose. It appears to us self-evident, that where a board of canvassers charged by the laws with the duty of canvassing the votes cast at an election, and of drawing up a statement thereof, and delivering to the person elected a certificate of his election, shall refuse or neglect to perform its duties, or the actual honest vote cast shall show that its determinations were wrong, there should be somewhere power to compel it to do right or to correct its omissions or errors.

It is beyond question true that the free and untrammelled exercise of the right of suffrage by the people, is the best protection to our republican form of government, and any safeguard that can be thrown around that right should never be withheld. It would be of but little, if any use, to provide either by constitutional provision or legislative enactment, that the voter's right to express in the manner provided by law, his preference by ballot should never be prohibited or impaired.

If a board of canvassers, a creature of the statutes, might disregard those ballots so cast, or count them upon the other side, or that by any other means the real vote cast should not be properly counted, such a power to thus successfully nullify or misrepresent the expressed wishes of the honest voters of this state, is valuable only to demagogues and those who by fraud and crime seek to destroy and trample under foot the will of the people.

The impression in some quarters appears to have gained ground that such exercise of the power of the court as is provided in this bill, is an infringement upon the provision of the constitution of this state and of the United States, which provide that each house of the legislature of the state, and each house of congress, shall be the judge of the elections, returns and qualifications of its own members. This objection we think not maintainable for a moment. If it could be, why is the board of canvassers required to give a certificate of election or even to canvass the votes at all?

This act proposes only to control the board of canvassers where it refuses or neglects to perform its duties, or where for any other reason the actual vote given is not counted. It does not interfere with or operate upon the legislature or congress, or the electoral college, in the exercise of their constitutional powers. That such is the effect of this law is well settled. It is said, by a very learned writer upon the law of mandamus, "That though each house of the legislative branch of the government can alone determine the right of its members to a seat, yet mandamus lies to compel the *canvassers* to perform the ministerial act of giving their official certificate to the person who appears by the returns to have received the largest number of votes as a senator or representative."

And we have, as further authority to support this position, the decisions of the supreme courts of many of the states, including the supreme courts of the states of Iowa, Ohio and Minnesota, and have not been able to find anywhere that a law like the one proposed is a violation of any constitutional provision or principle.

It is, or may be, thought by some that the policy of investing the court with this power is bad. Upon what reason or argument this view may be founded, it is impossible for us to imagine. The power usually exercised under the proceeding by mandamus has, for at least five hundred years, been conferred upon the English courts; and it is notorious that even kingly power itself has had to bow to the rights of the people when announced from these tribunals. Will it for a moment be contended that the judicial tribunals of our state will be less fearless in protecting the rights of the

people as expressed by the ballot, against the machinations and frauds of those who would seek to overthrow such rights?

These same courts determine the rights of property and protect life and liberty, and in the same manner as by this law, they are required to compel a board of canvassers to correct errors, frauds, mistakes and omissions; and we most earnestly contend that these courts can be safely trusted with such a mission, especially when a jury trial must be had on an issue of fact. It may be said that this will be entrusting the court with political powers, and thus tend to lower the respect entertained for the court.

This objection we regard as weak, indeed. There is nothing in the provisions of this bill which invests the court with power outside of the ordinary course of proceedings in cases of mandamus. The constitution of our state, section 3, article 4, confers the power upon the supreme court to issue writs of mandamus, quo warranto, etc., thus showing that the constitution itself recognizes and enjoins upon the court the exercise of the powers usually conferred by this writ; and we contend that there is nothing unusual in relation to the exercise of this right in this bill.

The court has already, by the analogous proceeding of *quo warranto* (in which case the *court* always *counts* the votes), ousted one who occupied the executive chair of this state, and put in his place one who had received a majority of the votes of the people; and in that case the cry that the court was exercising political power, came only from those who had been convicted of making a false canvass and false returns. The law confers upon the courts of this state the power to punish illegal voting; and we have no doubt that those who are guilty of such offenses, and in danger of feeling the power of the court, will exclaim against the policy of conferring such power.

We are satisfied that, on careful reflection, none but those who might profit by the fraud or mistake or omission of the board of canvassers, or who would desire to see the will of the people as expressed by the ballot, overthrown, will ever complain that this salutary power was conferred upon the supreme court of the state.

As to the necessity or policy of the act, we have to say we are reminded of the fact that well authenticated reports come to us that political revolutionists have seized, through the illegal acts of boards of canvassers, the executive and legislative offices of some of the states of this Union in despite of the votes and wishes of the large majority of the electors in such states; and that bloodshed, anarchy and revolution have been imminent in consequence of such usurpations; and we are not unmindful that through false canvasses and fraudulent returns in our own state, men have succeeded for a time in defeating the will of the people and usurping high offices, and that there is danger at any election that through the dishonesty, neglect or error of canvassers, men may receive certificates of election as members of congress who were in fact defeated; and a like danger may be apprehended in relation to other officers mentioned in the bill. Is it not better to at once invest the court with the power proposed,

Have had the same under consideration, and have instructed me to report the same back with recommendation that it be indefinitely postponed.

G. VAN STEENWYK,  
*Chairman.*

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The committee on State Affairs, to whom were referred the appointments by his excellency the governor,

Have had the same under consideration, and have instructed me to report the same back with the recommendation that they be confirmed.

No. 53, S.,

A bill fixing the time when wild deer may be taken in the counties of Ashland, Bayfield and Douglas,

No. 191, S.,

A bill to repeal sections 5 and 6 of chapter 192 of the general laws of 1879, in relation to game,

With the recommendation that they do pass.

No. 86, A.,

A bill to amend section 169 of the revised statutes of 1878, entitled of state officers,

With an amendment, and recommend it be concurred in when so amended.

GEO. B. BURROWS,  
*Chairman.*

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On motion of Senator Rankin, the nomination of Hiram H. Giles, of Dane county, to be a member of the State Board of Charities and Reform, for the term commencing the first day of April, 1880, was recommitted to the committee on State Affairs.

The nomination of Philip L. Spooner, Jr., of Dane county, to be Commissioner of Insurance for the term commencing the first Monday in April, 1880.

James V. Jones, of Winnebago county, and Christopher Hutchinson, of Grant county, to be Commissioners of Fisheries, for the term commencing April 1, 1880; and

James Bintliff, of La Fayette county, to be a member of the State Board of Health and Vital Statistics, for the term commencing the first Monday of February, 1880.

Were confirmed.

The ayes and noes being required, it was decided in the affirmative. Ayes, 30; noes, none; not voting, 3.

The vote was as follows:

*Ayes* — Senators Anderson, Bennett, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, Kelly, McFetridge, McGrew, Morgan, Paul, Price, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Sutherland, Thomas, Van Schick, Van Steenwyk and Woodman — 30.

*Not voting* — Senators Blackstone, Quarles and Weaver — 3.

## MESSAGE FROM THE ASSEMBLY.

By J. E. ELDRED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has passed, and asks the concurrence of the senate in,

No. 114, A.,

A bill changing the name of the county of New, to Langlade.

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ASSEMBLY MESSAGE CONSIDERED.

Senator Grimmer moved that all rules interfering with present consideration of

No. 114, A.,

Be suspended and the bill be put upon its passage.

Senator McFetridge moved that the bill be referred to the committee on State Affairs,

Which motion was lost.

The ayes and noes being demanded, it was decided in the negative: ayes, 7; noes, 22; not voting, 4.

The vote was as follows:

*Ayes* — Senators Bennett, Carter, McFetridge, McGrew, Morgan, Sacket and Smith — 7.

*Noes* — Senators Anderson, Burrows, Chipman, Dering, Fifield, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, Kelly, Price, Rankin, Richardson, Ryland, Scott, Sutherland, Thomas, Van Schaick, Van Steenwyk and Woodman — 22.

*Not voting* — Senators Blackstone, Paul, Quarles and Weaver — 4.

The rules were suspended.

Senator Kellogg offered the following amendment: "Strike out the word Langlade and insert the word McFetridge."

Which was lost.

The ayes and noes being demanded,

It was decided in the negative; ayes, none; noes, 28; not voting, 5.

The vote was as follows:

*Ayes* — None.

*Noes* — Senators Anderson, Bennett, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Grimmer, Houghton, Hyde, Kellogg, Kelly, McFetridge, McGrew, Morgan, Price, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Sutherland, Thomas, Van Schaick, Van Steenwyk and Woodman — 28.

*Not voting* — Senators Blackstone, Haben, Paul, Quarles and Weaver — 5.

The bill was then read a third time and concurred in.

Have had the same under consideration, and have instructed me to report the same back with recommendation that it be indefinitely postponed.

G. VAN STEENWYK,  
*Chairman.*

---

The committee on State Affairs, to whom were referred the appointments by his excellency the governor,

Have had the same under consideration, and have instructed me to report the same back with the recommendation that they be confirmed.

No. 53, S.,

A bill fixing the time when wild deer may be taken in the counties of Ashland, Bayfield and Douglas,

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A bill to repeal sections 5 and 6 of chapter 192 of the general laws of 1879, in relation to game,

With the recommendation that they do pass.

No. 86, A.,

A bill to amend section 169 of the revised statutes of 1878, entitled of state officers,

With an amendment, and recommend it be concurred in when so amended.

GEO. B. BURROWS,  
*Chairman.*

---

On motion of Senator Rankin, the nomination of Hiram H. Giles, of Dane county, to be a member of the State Board of Charities and Reform, for the term commencing the first day of April, 1880, was recommitted to the committee on State Affairs.

The nomination of Philip L. Spooner, Jr., of Dane county, to be Commissioner of Insurance for the term commencing the first Monday in April, 1880.

James V. Jones, of Winnebago county, and Christopher Hutchinson, of Grant county, to be Commissioners of Fisheries, for the term commencing April 1, 1880; and

James Bintliff, of La Fayette county, to be a member of the State Board of Health and Vital Statistics, for the term commencing the first Monday of February, 1880.

Were confirmed.

The ayes and noes being required, it was decided in the affirmative. Ayes, 30; noes, none; not voting, 3.

The vote was as follows:

*Ayes* — Senators Anderson, Bennett, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, Kelly, McFetridge, McGrew, Morgan, Paul, Price, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Sutherland, Thomas, Van Schaick, Van Steenwyk and Woodman — 30.

*Not voting* — Senators Blackstone, Quarles and Weaver — 3.

## MESSAGE FROM THE ASSEMBLY.

By J. E. ELDBRED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has passed, and asks the concurrence of the senate in,

No. 114, A.,

A bill changing the name of the county of New, to Langlade.

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ASSEMBLY MESSAGE CONSIDERED.

Senator Grimmer moved that all rules interfering with present consideration of

No. 114, A.,

Be suspended and the bill be put upon its passage.

Senator McFetridge moved that the bill be referred to the committee on State Affairs,

Which motion was lost.

The ayes and noes being demanded, it was decided in the negative: ayes, 7; noes, 22; not voting, 4.

The vote was as follows:

*Ayes* — Senators Bennett, Carter, McFetridge, McGrew, Morgan, Sacket and Smith — 7.

*Noes* — Senators Anderson, Burrows, Chipman, Dering, Fifield, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, Kelly, Price, Rankin, Richardson, Ryland, Scott, Sutherland, Thomas, Van Schaick, Van Steenwyk and Woodman — 22.

*Not voting* — Senators Blackstone, Paul, Quarles and Weaver — 4.

The rules were suspended.

Senator Kellogg offered the following amendment: "Strike out the word Langlade and insert the word McFetridge."

Which was lost.

The ayes and noes being demanded,

It was decided in the negative; ayes, none; noes, 28; not voting, 5.

The vote was as follows:

*Ayes* — None.

*Noes* — Senators Anderson, Bennett, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Grimmer, Houghton, Hyde, Kellogg, Kelly, McFetridge, McGrew, Morgan, Price, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Sutherland, Thomas, Van Schaick, Van Steenwyk and Woodman — 28.

*Not voting* — Senators Blackstone, Haben, Paul, Quarles and Weaver — 5.

The bill was then read a third time and concurred in.

## MESSAGE FROM THE ASSEMBLY.

By J. E. ELDRED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has passed, and asks the concurrence of the senate in,

No. 33, A.,

A bill to authorize Chas. W. Hanson to build and maintain a dam across, and otherwise improve, Christmas creek, in Chippewa county,

No. 40, A.,

A bill to amend the charter of the city of Oshkosh,

No. 41, A.,

A bill to exempt members of the Watertown fire department from certain duties therein named,

No. 49, A.,

A bill to amend section 4565 of chapter 185, revised statutes, entitled of offenses against public policy,

No. 51, A.,

A bill to amend the charter of the city of Watertown,

No. 53, A.,

A bill to appropriate to George B. McMillan a sum of money therein named, as extra pay for services in the late war,

No. 58, A.,

A bill to amend section 1683 of the revised statutes, and to authorize the laying of street railways or tramways in villages and towns,

No. 60, A.,

A bill relating to and amendatory of section 3326 of chapter 143, revised statutes of 1878, entitled of liens,

No. 65, A.,

A bill to amend section 5 of chapter 76 of the private and local laws of Wisconsin, passed in the year 1868, entitled an act to consolidate Union School District No. 1, in the city of Beloit, joint with the towns of Beloit and Turtle, and Union School District No. 2, of the city of Beloit, joint with the town of Beloit, and for the formation of Beloit city school district,

No. 71, A.,

A bill to legalize assignments of tax certificates made by any county in this state to any town therein, and to validate the deed given to the assignees of such town by virtue of such certificates,

No. 73, A.,

A bill to authorize Gustavus Werlick, his associates and assigns, to erect and maintain a dam and boom and to otherwise improve Big Rib river, in Marathon county,

No. 79, A.,

A bill to amend chapter 141 of the laws of 1879, in relation to the distribution of Blue Books,

No. 87, A.,

A bill to amend section 4 and section 16 of chapter 148 of the laws of 1873, entitled an act to incorporate the city of Boscobel, and to repeal section 1, chapter 84 of the laws of 1875, entitled an act to amend chapter 148 of the laws of 1873, entitled an act to incorporate the city of Boscobel,

No. 99, A.,

A bill to amend section 2523 of chapter 115 of the revised statutes, entitled of the municipal court of Dane county,

No. 118, A.,

A bill to authorize Gustaf Erickson and P. E. Petterson to construct and maintain a dam across Wood river, in Burnett county,

No. 125, A.,

A bill to authorize Andrew Tainter, John H. Knapp, Henry L. Stout, William Wilson, Thomas B. Wilson and John H. Douglas, their associates and assigns, to construct and maintain a dam across Turtle creek, in Barron county, on land owned by the Knapp, Stout & Co. Company,

No. 207, A.,

A bill to authorize the commissioners of public lands to loan a portion of the trust funds of the state to the town of Arcadia, in the county of Trempealeau,

M. C. No. 4, A.,

Memorial to congress for an increase and change of mail service in Door county,

And has adopted and asks the concurrence in

Jt. Res. No. 19, A.,

Relating to railroad maps,

And has concurred in

No. 65, S.,

A bill relating to the municipal court of the city of Eau Claire, and amendatory of section 10 of chapter 183 of the laws of 1874, as amended by section 1 of chapter 329 of the laws of Wisconsin for 1878,

No. 22, S.,

A bill to amend section 4153 of the revised statutes, relating to evidence,

Jt. Res. No. 8, S.,

In relation to financial legislation in congress.

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#### ASSEMBLY MESSAGES CONSIDERED.

Nos. 41, 49, 58, 60, 65 and 71, A.,

Were referred to Judiciary committee.

Nos. 53 and 207, A.,

Were referred to committee on State Affairs.

Nos. 40, 51, 73, 87, 118, 125, 33, A.,

Were referred to committee on Incorporations.

No. 79, A.,

Was referred to committee on Legislative Expenditures.

M. C. No. 4, A.,

Was referred to committee on Federal Relations.

No. 99, A.,

Was referred to the Dane County Delegation.

On motion of Senator Rankin,

Jt. Res. No. 19, A.,

Was returned to the assembly for correction.

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### BILLS READY FOR A THIRD READING.

No. 30, S.,

A bill to authorize A. D. Lunt and P. M. Musser to build a dam across and otherwise improve Elk river, in Price county, for log driving purposes,

No. 113, S.,

A bill to authorize Thos. B. Wilson, Andrew Tainter, William Wilson, Henry L. Stout, John H. Knapp, John H. Douglas, their associates, successors and assigns, to erect and maintain a dam across Hemlock creek, in Chippewa county, on land owned by the Knapp, Stout & Co. Company,

No. 187, S.,

A bill to legalize the action of the board of supervisors of the county of Polk, in setting off and creating the town of Georgetown, in said county,

No. 193, S.,

A bill to amend section 670 of the revised statutes of 1878, and chapter 190 of the general laws of 1879, relating to the organization of towns,

Were severally read a third time and passed.

No. 27, S.,

A bill to amend section 4771 of the revised statutes of 1878, in relation to security of costs in criminal cases,

Was read a third time and passed.

On motion of Senator Grimmer, the clerk was instructed to correct the title to correspond with the body of the bill.

No. 15, A.,

A bill for the protection of passengers on railroad cars and conferring police powers on conductors and agents in certain cases,

No. 44, A.,

A bill to amend section 4765 of chapter 194 of the revised statutes of 1878, entitled of proceedings in criminal cases in justices' courts,

Were severally read a third time and concurred in.

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### BILLS ON THEIR THIRD READING.

No. 13, A.,

A bill to authorize Frederick R. Stees to construct a dam across Vermillion river, in Barron county,

Was ordered to a third reading.

## BILLS ON THEIR ENGROSSMENT AND THIRD READING.

On motion of Senator Rankin,

No. 11, S.,

A bill to amend section 329 of chapter 20 of the revised statutes of 1878, relating to the publication of the laws,

No. 154, S.,

A bill to appropriate to the Bell Telephone Company of Madison, Wisconsin, a sum of money therein named,

Were laid over until Tuesday morning.

No. 37, S.,

A bill to amend section 2626, revised statutes of 1878, relating to change of venue in civil cases, and to amend section 4680, revised statutes of 1878, relating to the changes of venue in criminal cases,

No. 118, S.,

A bill relating to change of venue and to provide for the assignment of judges of circuit courts.

Were indefinitely postponed.

No. 99, S.,

A bill to appropriate a sum of money therein named to Geo. H. Paul, for expenses in defending his right to a seat in this senate, against the claim made thereto by David J. Price,

No. 160, S.,

A bill to authorize A. E. Sawyer, Daniel Austin and Richard Dewhurst to build and maintain a dam across Black river,

No. 174, S.,

A bill to authorize John H. Knapp, Henry L. Stout, Andrew Tainter, William Wilson, Thomas B. Wilson and John H. Douglas, and their associates, successors and assigns, to erect and maintain a dam across the Red Cedar river, on lands owned by the Knapp, Stout & Co. Company,

No. 188, S.,

A bill to authorize the Chicago, St. Paul & Minneapolis Railway Company to abandon, under certain conditions, that portion of its railway lying between North Wisconsin Junction and the St. Croix Lake,

No. 213, S.,

A bill to amend chapter 3 of chapter 72 of the private and local laws of 1858, entitled an act to incorporate the city of Ripon,

No. 219, S.,

A bill to amend section 1 of chapter 80 of private and local laws of 1855, entitled an act supplementary to an act to incorporate the Milwaukee Mechanics' Mutual Insurance Company, relating to restrictions in bringing suits,

Were ordered engrossed and read a third time.

On motion of Senator Fifield,

No. 39, S.,

A bill to include the Chicago & Tomah railroad in the provisions of chapter 153 of the general laws of 1879, and amendatory of said chapter,

Was recommitted to a select committee consisting of Senator Fifield.

The amendments to

No. 114, S.,

A bill to authorize Thos. B. Scott to build a dam or dams on Prairie river, in Lincoln county, Wisconsin,

No. 148, S.,

A bill to provide for the collection of statistics of pauperism and crime,

No. 200, S.,

A bill to amend chapter 58 of the private and local laws of 1859, entitled an act to incorporate the Madison Gymnastic Association,

No. 201, S.,

A bill to amend section 1480 of the revised statutes of 1878, relating to the prevention of the spread of noxious weeds,

Were adopted, and the bills severally ordered engrossed and read a third time.

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On motion of Senator Price,

The senate adjourned.

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SATURDAY, FEBRUARY 14, 1880.

10 o'CLOCK A. M.

The senate met.

The president in the chair.

Prayer by Prof. Butler.

The roll was called, and the following senators answered to their names:

Senators Anderson, Burrows, Chipman, Griffin, Grimmer, Houghton, Hyde, Kelly, McFetridge, Price, Richardson, Ryland, Sacket, Scott, Smith, Sutherland, Thomas, Van Schaick and Woodman.

The journal of yesterday was approved.

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#### LEAVE OF ABSENCE

Was granted to Senators Chipman and Morgan until Monday evening.

Senator Sutherland until Wednesday morning.

## LETTERS, PETITIONS, ETC.

By Senator Richardson:

Pet. No. 43, S.,

Of D. C. Benedict and 40 other citizens of Rock county, asking the passage of resolution for biennial session of the legislature.

To committee on State Affairs.

By Senator Richardson:

Pet. No. 44, S.,

Of W. B. Clarke and 24 other citizens of Rock county, against the re-enactment of the death penalty.

To committee on State Affairs.

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REPORTS OF COMMITTEES.

The committee on Judiciary, to whom was referred

No. 164, S.,

A bill in relation to costs and fees, and amendatory of section 252 of the revised statutes of 1878,

No. 174, S.,

A bill to repeal certain provisions of section 2478 of the revised statutes, relating to juries in county courts,

No. 176, S.,

A bill to repeal section 4073 of chapter 176 of the revised statutes, entitled of evidence,

No. 127, S.,

A bill to amend section 680 of the revised statutes, relating to claims against counties,

No. 199, S.,

A bill to repeal chapter 205 of the laws of Wisconsin of 1879, entitled an act to limit the number of terms to which a person may be eligible to the office of county treasurer,

No. 137, S.,

A bill to amend section 2922 of the revised statutes, concerning costs and fees allowed to parties in circuit courts,

No. 214, S.,

A bill to legalize the action of the board of supervisors of Lincoln county,

No. 231, S.,

A bill to amend section 2424 of the revised statutes, relating to the time of holding court in Brown county,

No. 158, S.,

A bill authorizing judgments of the supreme court to be docketed in the circuit court,

No. 170, S.,

A bill to amend section 2918 of chapter 129 of the revised statutes, entitled of costs and fees allowed to parties in circuit courts,

No. 252, S.,

A bill to define and fix the liabilities of persons or corporations owning or running sleeping cars within this state.

Have had the same under consideration, and instructed me to report the same back with the recommendation that they do pass.

No. 128, S.,

A bill to preserve the peace and secure good order on fair grounds, at camp meetings and at other places,

Report the same back with amendment, and passage recommended when so amended.

No. 197, S.,

A bill to repeal section 2455 of the revised statutes of 1878, relating to county judges,

No. 117, S.,

A bill to amend section 20 of chapter 5 of the revised statutes of 1878, entitled of electors and general elections,

Report the same back with the recommendation that the same be indefinitely postponed.

H. E. HOUGHTON,  
*Chairman.*

On motion of Senator Hyde, No. 252, S., was recommitted to Railroad committee.

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The joint committee on Claims, to whom was referred

No. 8, S.,

A bill to appropriate a certain sum of money therein named to George W. Perry, of Douglass county, to pay him for services and disbursements as attorney in the case of the state of Wisconsin against the city of Duluth *et al.*,

Have had the same under consideration, and have instructed me to report it back with an amendment, and recommend it do pass when so amended.

W. T. PRICE,  
*Chairman.*

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The committee on Incorporations, to whom was referred

No. 118, A.,

A bill to authorize Gustaf J. Erickson and P. E. Petterson to construct and maintain a dam across Wood river, in Burnett county,

No. 125, A.,

A bill to authorize Andrew Tainter, John H. Knapp, Henry L. Stout, William Wilson, Thomas B. Wilson and John H. Douglas to erect and maintain a dam across Turtle creek, in Barron county, on land owned by the Knapp, Stout & Co. Company,

No. 87, A.,

A bill to amend section 4 and section 16 of chapter 148 of the laws of 1873, entitled an act to incorporate the city of Boscobel, and to repeal section 1, chapter 84 of the laws of 1875, entitled an

act to amend chapter 148 of the laws of 1873, entitled an act to incorporate the city of Boscobel,

Have had the same under consideration, and have instructed me to report the same back with recommendation that they be concurred in.

GEO. GRIMMER,  
*Chairman.*

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The committee on Enrolled Bills have examined and find correctly enrolled

No. 65, S.,

A bill relating to the municipal court of the city of Eau Claire, and amendatory of section 10 of chapter 183 of the laws of Wisconsin for 1874, as amended by section 1 of chapter 329 of the laws of Wisconsin for 1878,

No. 22, S.,

A bill to amend section 4153 of the revised statutes, relating to evidence,

Jt. Res. No. 8, S.,

In relation to financial legislation in congress.

GEO. E. SUTHERLAND,  
*Chairman.*

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The committee on Engrossed Bills have examined and find correctly engrossed the following bills:

No. 42, S.,

A bill to amend section 2437 of the revised statutes, in relation to phonographic reporters,

No. 43, S.,

A bill relating to appropriation for stationery for certain employes,

No. 73, S.,

A bill to create the Kewaunee Harbor Commission and define their duties,

No. 108, S.,

A bill to authorize the justices of the peace elected in the several wards of the city of Plymouth, to keep an office and perform their duties in any part of said city,

No. 144, S.,

A bill to amend section 1979 of chapter 90 of the revised statutes of 1878, relating to organization for protection against fires,

No. 151, S.,

A bill to confer certain police powers upon agents of the Wisconsin Humane Society,

No. 18, S.,

A bill to appropriate to the commissioners of fisheries a certain sum therein named,

No. 261, S.,  
A bill to allow a certain credit to Simeon Mills, late treasurer of the State Hospital for the Insane.

GEO. W. RYLAND,  
*Chairman.*

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### REPORTS OF SPECIAL COMMITTEES.

The select committee to whom was referred  
No. 236, S.,  
A bill in relation to killing game for scientific purposes,  
Has had the same under consideration, and reports the same back with the recommendation that it be re-referred to the committee on State Affairs, and printed.

EDWIN E. WOODMAN,  
*Committee.*

So ordered.

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The select committee to whom was referred  
No. 196, S.,  
A bill to improve Hay creek, a branch of the Eau Claire river, in the county of Clark, for driving logs out of said creek,  
Has had the same under consideration, and begs leave to report the same back with the recommendation that the same be printed and referred to the committee on Incorporations.

M. GRIFFIN,  
*Committee.*

So ordered.

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The special committee consisting of the Dane County Delegation, to whom was referred

No. 99, A.,  
A bill to amend section 2523 of chapter 115 of the revised statutes, entitled of the municipal court of Dane county,  
Have had the same under consideration, and report it back with an amendment, and recommend its concurrence when so amended.

MATT. ANDERSON,  
GEO. B. BURROWS.

On motion of Senator Burrows,  
The rules were suspended, the amendments to No. 99, A., were adopted, and the bill read a third time and concurred in.

## MESSAGE FROM THE ASSEMBLY.

By J. E. ELDRED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has passed, and asks the concurrence of senate in,

No. 14, A.,

A bill to restore criminal jurisdiction to the county court of Winnebago county,

No. 90, A.,

A bill relating to the assessment and collection of highway taxes, and amending subdivision 2 of section 1240 of chapter 52 of the revised statutes,

No. 108, A.,

A bill to amend chapter 260 of the laws of Wisconsin for 1877, entitled an act to revise, consolidate and amend the charter of the city of Stevens Point, approved May 17, 1858, and the several acts amendatory thereof,

No. 126, A.,

A bill to authorize John H. Douglas, Andrew Tainter, Thomas B. Wilson, Henry L. Stout, Wm. Wilson and John H. Knapp, and their associates and assigns, to erect and maintain a dam across Turtle creek, on land owned by the Knapp, Stout & Co. Company,

No. 127, A.,

A bill to authorize the electors of the town of Janesville, in Rock county, to hold elections in the third ward of the city of Janesville,

No. 131, A.,

A bill to authorize the construction of a dam across the south branch of the Embarrass river in Shawano county,

No. 132, A.,

A bill to amend section 670, chapter 36, of the revised statutes, relating to special powers of county boards of supervisors,

No. 348, A.,

A bill to provide for the compensation of certain additional employees of the legislature of 1880,

M. C. No. 6, A.,

Memorial to congress for an appropriation to reopen the channel of Wolf river, in Northern Wisconsin,

M. C. No. 3, A.,

Memorial to the postmaster general, for an increase of mail service from the village of Merton, in Waukesha county, to Lake Five, in Washington county,

And has adopted and asks the concurrence of the senate in

Jt. Res. No. 10, A.,

Amending the constitution and providing for biennial sessions of the legislature,

Jt. Res. No. 24, A.,

Asking governor to return M. C. No. 1, A., for correction.

And has concurred in

Jt. Res. No. 7, S.,

Requesting the senators and members of congress from Wisconsin to support a certain bill in relation to immediate transportation of dutiable goods,

Jt. Res. No. 10, S.,

Requesting the United States ministers to England and Spain to use their best efforts to secure certain publications for the State Historical Society.

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#### ASSEMBLY MESSAGE CONSIDERED.

Nos. 14, 90 and 137, A.,

Were referred to Judiciary committee.

Nos. 108, 126 and 131, A.,

Were referred to committee on Incorporations.

On motion of Senator Richardson,

The rules were suspended, and

No. 127, A., was read a third time and concurred in.

On motion of Senator Sacket, all rules interfering with the present consideration of

No. 348, A.,

Were suspended, and the further consideration of the same postponed until next Tuesday morning.

M. C. Nos. 6, and 3, A.,

Was referred to committee on Federal Relations.

Jt. Res. No. 10, A.,

Was referred to the committee on State Affairs.

Jt. Res. No. 24, A.,

Was concurred in.

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#### BILLS READY FOR A THIRD READING.

No. 13, A.,

A bill to authorize Frederick R. Stees to construct a dam across Vermillion river, in Barron county,

Was read a third time and concurred in.

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#### BILLS ON THEIR THIRD READING.

No. 6, A.,

A bill to amend section 1928 of chapter 89 of the revised statutes of 1878, in relation to town insurance companies,

Was ordered to a third reading.

The amendments to

No. 30, A.,

A bill to repeal sections 6, 7 and 8 of chapter 259, laws of 1878, and chapter 104, laws of 1879, relating to a state road from Wolf river, in Shawano county, to Wausau, in Marathon county,

Were adopted and the bill was ordered to a third reading.

On motion of Senator Kelly,

No. 86, A.,

A bill to amend section 169 of the revised statutes of 1878, entitled "of the state officers,"

Was recommitted to committee on Claims.

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Senator Richardson moved that when the senate adjourn, it be until Monday evening, Feb. 16, at 7:30 o'clock.

Carried.

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### BILLS ON THEIR ENGROSSMENT AND THIRD READING.

M. C. No. 7, A.

Memorial to congress for sale of a portion of the Menomonee reservation in the county of Shawano,

M. C. No. 8, A.,

Memorial to congress for an adequate appropriation for the improvement of the harbor of Green Bay,

No. 191, S.,

A bill to repeal sections 5 and 6 of chapter 192 of the general laws of 1879, in relation to game,

Were ordered engrossed and read a third time.

On motion of Senator Chipman,

No. 29, S.,

A bill to amend chapter 34 of the revised statutes, entitled of the militia, and the act amendatory thereof, and to provide for the greater efficiency of the Wisconsin National Guard,

Was recommitted to committee on Military Affairs.

On motion of Senator Kelly, the further consideration of

No. 53, S.,

A bill fixing the time when wild deer may be taken in the counties of Ashland, Bayfield and Douglas,

Was postponed until next Tuesday.

The amendments to

No. 59, S.,

A bill to appropriate to the Institution for the Education of the Blind a sum of money therein named,

No. 87, S.,

A bill to appropriate to the superintendent of public property a sum of money therein named, to purchase the necessary stationery for the use of the legislature and state officers for the ensuing year,

No. 184, S.,

A bill to allow general accident insurance companies to do business in this state,

Were adopted, and the bills severally ordered engrossed and read a third time.

No. 97, S.,

A bill to amend section 843 of chapter 39 of the revised statutes of 1878, relating to constable fees,

No. 107, S.,

A bill to amend section 1971, chapter 89 of the revised statutes of 1878, relating to insurance companies,

Were severrly indefinitely postponed.

On motion of Senaotr Woodman, the further consideration of No. 185, S.,

A bill for the division of the counties of Clark and Marathon, and for the erection of the county of Webster,

Was postponed until Thursday the 19th inst.

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On motion of Senator Haben,  
The senate adjourned.

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MONDAY, FEBRUARY 16, 1880.

7:30 o'CLOCK P. M.

The senate met.

President *pro tem.* Scott in the chair.

The roll was called, and the following senators answered to their names:

Senators Anderson, Bennett, Burrows, Carter, Chipman, Dering, Grimmer, Haben, Houghton, Hyde, Kelly, McFetridge, McGrew, Morgan, Paul, Price, Rankin, Richardson, Ryland, Scott, Smith, Thomas, Van Schaick, Weaver and Woodman.

The journal of Saturday was approved.

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On motion of Senator Richardson,

The vote by which

No. 127, A.,

A bill to authorize the electors of the town of Janesville, in Rock county, to hold elections in the third ward of the city of Janesville,

Was concurred in was reconsidered, and the bill was recommit-  
ted to a select committee consisting of Senator Richardson.

On motion of Senator Price,

The chief clerk was instructed to correct the title of No. 30, S.,  
so that it would correspond with the body of the bill.

## LETTERS, PETITIONS, Etc.

By Senator Smith:

Pet. No. 45, S.,

Of sundry citizens of Fond du Lac county in favor of reduction of rate of interest.

To committee on Finance, Banks and Insurance.

By Senator Hyde:

Pet. No. 46, S.,

Of Kate Kane for right of suffrage.

To committee on State Affairs.

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REPORTS OF COMMITTEES.

The committee on Engrossed Bills have examined, and find correctly engrossed:

No. 200, S.,

A bill to amend chapter 58 of the private and local laws of 1859, entitled an act to incorporate the Madison Gymnastic Association,

No. 59, S.,

A bill to appropriate to the Institution for the Education of the Blind a sum of money therein named,

No. 87, S.,

A bill to appropriate to the superintendent of public property a sum of money therein named, to purchase the necessary stationery for the use of the legislature and state officers for the ensuing year,

No. 99, S.,

A bill to appropriate a sum of money therein named to Geo. H. Paul, for his expenses in defending his right to a seat in this senate, against the claim made thereto by David J. Price,

No. 114, S.,

A bill to authorize Thos. B. Scott to build a dam or dams on Prairie river, in Lincoln county, Wisconsin,

No. 148, S.,

A bill to provide for the collection of statistics of pauperism and crime,

No. 160, S.,

A bill to authorize A. E. Sawyer, David Austin and Richard Dewhurst to build and maintain a dam across Black river,

No. 184, S.,

A bill to allow general accident insurance companies to do business in this state,

No. 188, S.,

A bill authorizing the Chicago, St. Paul & Minneapolis Railway Company to abandon, under certain conditions, that portion of its railway lying between North Wisconsin Junction and the St. Croix Lake,

No. 191, S.,

A bill to repeal sections 5 and 6 of chapter 192 of the general laws of 1879, in relation to game,

No. 201, S.,

A bill to amend section 1480 of the revised statutes of 1878, relating to the prevention of the spread of noxious weeds,

No. 213, S.,

A bill to amend chapter 3 of chapter 72 of the private and local laws of 1858, entitled an act to incorporate the city of Ripon,

No. 219, S.,

A bill to amend section 1 of chapter 80 of private and local laws of 1855, entitled an act supplementary to an act to incorporate the Milwaukee Mechanics' Mutual Insurance Company, relating to restrictions in the bringing of suits,

No. 177, S.,

A bill to authorize John H. Knapp, Henry B. Stout, Andrew Tainter, William Wilson, Thomas B. Wilson and John H. Douglas, and their associates, successors and assigns, to erect and maintain a dam across the Red Cedar river, on lands owned by the Knapp, Stout & Co. Company,

M. C. No. 8, S.,

Memorial to congress for an adequate appropriation for the improvement of the harbor of Green Bay,

M. C. No. 7, S.,

For sale of a portion of the Menomonee reservation in the county of Shawano.

GEO. W. RYLAND,  
*Chairman.*

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The committee on Incorporations, to which was referred

No. 40, A.,

A bill to amend the charter of the city of Oshkosh,

No. 126, A.,

A bill to authorize John H. Douglas, Andrew Tainter, Thomas B. Wilson, Henry L. Stout, Wm. Wilson and John H. Knapp, and their associates, successors and assigns, to erect and maintain a dam across Turtle creek on land owned by the Knapp, Stout & Co. Company,

No. 131, A.,

A bill to authorize the construction of a dam across the south branch of the Embarrass river, in Shawano county,

No. 33, A.,

A bill to authorize Chas. W. Hanson to build and maintain a dam across, and otherwise improve, Christmas creek, in Chippewa county,

No. 73, A.,

A bill to allow Gustavus Werlick, his associates and assigns, to erect and maintain a dam and boom and otherwise improve Big Rib river in Marathon county,

Have had the same under consideration, and have instructed me to report the same back with recommendation that they be concurred in.

GEO. GRIMMER,  
*Chairman.*

The committee on Charitable and Penal Institutions, to which was referred

No. 125, S.,

A bill relating to offenses against the lives and persons of individuals, and amendatory of section 4389, chapter 181, revised statutes of 1878,

Have had the same under consideration, and instructed me to report the same back with the recommendation that it do pass.

They have also had under consideration

No. 102, S.,

A bill to amend sections 1546, 1547 and 1786 of chapters 65 and 86 of the revised statutes, relating to industrial schools and commitments thereto,

And instructed me to report the same back with amendments, and the recommendation that it do pass when so amended.

H. RICHARDSON,  
*Chairman.*

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The undersigned, a minority of the Judiciary committee, to which was referred

No. 63, S.,

A bill relating to writs of mandamus and prohibition, and amendatory of section 3452 of the revised statutes of 1878,

Dissent from the report of the majority of said committee, and respectfully submit the following reasons for such dissent:

The bill proposes to amend the revised statutes in such manner as to authorize proceedings of mandamus in the supreme court against the boards of canvassers, to compel the execution and delivery of certificates of election to persons adjudged upon such proceedings to have been elected members of the legislature of this state, or members of the house of representatives of the United States, or presidential electors of this state; and said bill further authorizes said court to "inquire into the facts of such election, irrespective of the election returns, and to determine who was in fact elected to such office by the greater number of legal votes cast for the same," and to try such issue of fact in any circuit court of this state as said supreme court shall in its discretion order.

Section 7, article IV of the constitution of Wisconsin declares that each house of the legislature "shall be the judge of the elections, returns and qualifications of its own members." Sec. 5, art. I, of the constitution of the United States, declares in the same language, that each house of congress "shall be the judge of the elections, returns and qualifications of its own members." And the constitution of the United States further declares (sec. 1, art. II), that each state shall appoint presidential electors "in such manner as the legislature thereof may direct."

It cannot be seriously maintained that the choice of presidential electors by the states has ever been subject, or can be properly subject, to the determination of a circuit court jury not directly vested by legislative authority with the power to make their ap-

pointment; or that the houses of congress, or the legislature, can be denied by any other department of the government, federal or state, of the ultimate right to determine the qualifications of their own members. The powers conferred upon congress and the legislature in this respect are definite and absolute, exclusive and complete, and they cannot be abrogated or divided.

But it is contended that the bill under consideration does not propose to subject the exercise of the legislative powers, under the circumstances specified in the bill, to the supervision and determination of the judiciary, but limits the inquiry and determination of the courts to the ministerial acts of the canvassing officers under the law. This is not a fair construction of the terms and purport of the bill. It obviously and palpably proposes to invest the judiciary with authority to compel canvassing officers to perform acts and duties contrary to acts and duties prescribed by law. The legislative department, in the exercise of its conceded duty and authority under the constitution, ordinarily and properly directs these officers how to proceed in the canvass of returns, reserving to the two houses respectively, the authority expressly imposed upon them by the constitution to investigate facts, correct errors and determine questions of right and equity. But this bill, by express language, substantially transfers the whole authority of the two houses from the legislative to the judicial department of government — from the two houses, where the constitution expressly vests that authority, to the supreme bench, where the constitution has not vested it, and to a department which has never claimed a right to exercise such an authority under the federal or any state government since the existence of the Union. The language of the bill, conferring upon the court power “to inquire into the facts of election, irrespective of election returns, and determine who was in fact elected,” is as broad, definite and positive, as the language of the constitution itself in conferring the same powers upon the two houses of the legislature. And if the bill should become a law, it would fail in the fulfillment of its manifest and avowed purpose, if it failed to deposit in the court and in the petty juries of the circuit courts a sovereignty over elections equal in extent to that which the constitution deposits in the respective branches of the legislature as to the qualification of their own members.

It has been intimated by some of the friends of this bill, that the legislature may delegate its constitutional authority to determine the election of its members; or that it may divide its powers with the courts; or perhaps reserve to itself a sort of appellate, secondary, or concurrent jurisdiction over the questions proposed to be transmitted to the courts by this bill. There is no occasion for the extended quotation of authorities upon propositions so manifestly untenable. There is no legal principle more thoroughly and permanently settled, than the principle that no department of government can surrender, divide or delegate the powers exclusively imposed upon it by the fundamental law (see Cooley's Const. Lim., 116). We might as properly bargain with the supreme court and

the executive department for a new division of all the powers of government, as to surrender or divide the constitutional power of the senate or assembly "to inquire into the facts of the election" of its members, "irrespective of the election returns."

We are not inclined to question "the opinion of an eminent writer upon the law of mandamus," quoted by the majority of the committee, to the effect that "mandamus lies to compel the canvassers to perform the ministerial act of giving their official certificate to the person who appears by the returns to have received the largest number of votes." This opinion is in complete accord with all current definitions of the prerogative writ of mandamus, and with the opinions of our own supreme court. But, unfortunately, it is not in accord with the provisions of the bill under consideration, or with the interpretation placed upon the bill by the majority of the committee. The bill provides that the court may inquire into the facts of an election "irrespective of the returns," and the majority of the committee explicitly assert that under the provisions of the bill, the court "can go behind the returns, in order to determine the actual vote" — a privilege which the eminent writer quoted does not concede; a power which no court in this country under similar circumstances has ever assumed; an authority which no legislature can lawfully grant, and which the supreme court of Wisconsin, in more than one instance, has expressly denied to itself. The bill says the court may inquire into the facts "irrespective of the returns," and the majority of the Judiciary committee say, that under this bill the "court can go behind the returns, in order to determine the actual vote;" but the supreme court of Wisconsin says, in case of *State ex rel. McDill, etc.*, "the power to determine the right (of a representative in congress) is, by the constitution, vested exclusively in the house of representatives. Hence, we cannot go behind the returns, and investigate and correct frauds and mistakes." (36 Wis. 505.)

In the same opinion, the court declares that it can determine whether the returns made to the state board of the votes cast in any county should be included by the state board in their canvass and statement. In other words, the power of the court in this proceeding is a power to compel obedience to law, and not to compel disobedience to law. It is not a power "to go behind the returns, in order to determine the actual vote," but a power to compel the ministerial officers of the state to canvass the returns in the manner the legislature has provided and commanded. It is not a power "to inquire into the facts of such election, irrespective of the returns," as expressed in the language of the bill, but a power to inquire into the facts of the returns, and compel their acceptance by the canvassers, regardless of the facts of the election, and leaving the facts of the election to be determined by the two houses of congress, or the legislature, where the constitution has deposited all judicial authority in respect to such facts. In the proper exercise of this authority, the court is the

servant, and not the master of the law, and such is the construction of its own power by the court itself.

In its very nature, and in accord with judicial determinations for centuries, the prerogative of mandamus is thus limited and defined. It is a remedy to compel the performance of duties devolving upon the officer, by law. It will lie, not to broaden and extend the judicial power of the court, but to give effect to rights established by law. Not even then, where another available remedy exists, such as that which every candidate for congress or the legislature unquestionably possesses, by an appeal to congress or the legislature itself. In general terms, it may be invoked to enforce ministerial duties, but not to control the discretion of the officer even, when that discretion is constitutionally imposed by law.

It is assumed by the majority of the committee that the opinion of the supreme court of Wisconsin in the noted case of *Bashford v. Barstow*, furnishes a justification for the species of legislation proposed; and it is alleged that "in that case the cry that the court was exercising political power, came only from those who had been convicted of making a false canvass and false returns." Admitting this to be true, it is equally true that the state of Wisconsin has never forgotten to reserve its highest honors for the men who mainly formulated that cry in the courts and before the people, sending that one of them who could least endure "croaking quo warranto" to the senate of the United States for the better portion of his active life, and elevating another to the bench whose alleged jurisdiction he then so eloquently confuted.

But the decision of the court in that case was not that the jurisdiction of the court extended to functions expressly conferred by the constitution upon another department of the government. Three of the five justices of our present supreme court participated in that notable controversy. One of them was on the bench, one of them was of counsel for the relator, and the third was of counsel for the respondent; but nowhere, and at no time, did either of them claim for the court the prerogatives sought to be imposed upon it by this bill. The claim of the court was, that the judiciary power of the state was conferred upon the court, except as otherwise conferred by the constitution; that as to the executive department, that power belonged to the court; that as to the legislative department, in the determination of the elections, returns and qualifications of its own members, it belonged to the legislature. Said Justice Cole, in pronouncing his opinion: "Confessedly, the court has no right under this statute to try the claims of contestants to a seat in the legislature. Obviously not; and for the reason that the constitution expressly declares that each house shall be the judge of the elections, returns and qualifications of its own members. It is a familiar rule of construction that a general grant of power, or a general statute, may be controlled in a particular case by a special grant."

Judge Orton, now also a member of the present supreme court,

in his argument for the respondent in the case referred to, denied the power of the court as to the action and determination of the state canvassers in all cases, and further pictured the probable consequence of the general assumption of such power. "Dark, indeed, would be the political history of this court if this power were conferred upon it. Lampoons of political newspapers, complaints of defeated politicians, whole parties rising in rebellion to its judgments, if such were their duty. And such will be the case if this court have the power here claimed for it. It will be filled with defeated candidates at every election, and the excitement, the turbulence, the high political feeling of every canvass will invade it. Money will be staked and bets decided by its judgment," a prophecy which, to the undersigned, seems only to require the passage of the pending bill, for its full realization.

As to the powers of the two houses respectively, to determine the qualifications of members, we read in Kent's Commentaries that "the same power is vested in the British House of Commons, and in the legislatures of the several states, and there is no other body known to the constitution to which such a power might be safely entrusted."

Again, we read in Blackstone's Commentaries, that "the lords will not suffer the commons to interfere in settling the election of a peer of Scotland; the commons will not allow the lords to judge of the election of a burgess; nor will either house permit the subordinate courts of law to examine the merits of either case."

The undersigned do not propose to quote further from the abundant authorities of courts and authors of high repute upon the vital question presented in this bill. In reply to the public claim, however, that the remedy for the evils in government proposed in this bill, is a Wisconsin "discovery," we respectfully cite in offset Mr. Adams, in the preface to his Defence of the Constitution, in which he declares that "a total separation of the executive from the legislative power, and of the judicial from both, and the balance in the legislature by three independent, equal branches, are perhaps the only three discoveries in the constitution of a free government since the institutions of Lycurgus."

But the majority of the committee contend, in spite of the intrinsic evidence of the bill itself and their own concessions, that "there is nothing unusual in relation to the exercise of this right in this bill." Then what the necessity for the passage of the bill? The court already possesses and exercises all the usual rights by proceeding of mandamus, by virtue of its constitutional prerogatives. In the exercise of those usual rights, it exhausts all the constitutional authority conferred upon the court. Obviously, an act of the legislature cannot provide a re-apportionment of constitutional powers; and the bill effects this, or it effects nothing whatever.

The bill is further deficient in the fact it provides for writs of mandamus to compel the issue of certificates of election by canvassers of election returns, officers unknown to the law in that connection. The statutes expressly provide that such certificate shall be issued by

clerks of counties, and the secretary of state, and no provision of the bill proposes to repeal the existing statutes in that respect, thus permitting the issue of certificates by the proper officers under the election laws of the legislature, and compelling the issue of other certificates by other officers under the mandate of the court.

Conceding the rightful authority of the legislature to confer the extraordinary powers proposed upon the court, other grave objections exist to the proposed transfer of legislative authority from the legislature to the court. It furnishes no additional or efficient remedy for the evils and dangers incident to popular government. The canvassers may be corrupt — so may be the court. The canvassers may make mistakes — so may the court. The court may issue writs of mandamus against the canvassers, but when the court is corrupt, or makes mistakes in the count, who shall issue writs of mandamus against the court, and compel it to correct errors and perform its functions righteously? The canvassers are the servants of the people — so is the court. But the canvassers are in the bonds of the law, and must obey the law. They are abandoned to no personal discretion. They must obey the mandate of the legislature, and if they refuse to obey, the court, under existing law, has abundant power to compel obedience. But the judiciary, organized as a canvassing board, is invested with no such wholesome restraints. Outside the provisions of statute law, in the exercise of an almost unlimited discretion, who knows that it will prove to be a safer tribunal for the determination of grave disputes affecting political power than the obedient ministers of the law? The board of state canvassers ordinarily consists of three high officers of the state. Last fall the vote in Wisconsin was canvassed by three judges of circuit courts, as provided by law. The state officers derive their official existence directly from the people, and are directly responsible to the people and the legislature. And is the will of the people any less sacred or potent in the administration of their official duties, than when determined by a tribunal comparatively independent both of the people and the legislature?

Canvassing boards sometimes may be actuated by partisan influences. But so may the judiciary. Members of canvassing boards may sometimes be candidates for high offices. So may members of the court. A Louisiana returning board is not necessarily more corrupt than a Louisiana court, deriving its official patent wholly from a canvassing board, and pronouncing solemn judgment upon the validity of its own election. The recent canvassing board in Maine was not more unanimous in its conclusions than the court which promulgated extra judicial opinions for the guidance of popular sentiment. Nor was the congress of 1877 more rigidly divided on partisan lines than the fractional portion of the supreme court of the United States, which took seats on the electoral commission, and eagerly participated in the determination of a presidential contest, by a vote of seven to eight. Nor ought it to be yet forgotten that it was a Wisconsin court which once taught "a

positive defiance" of the federal government as the "rightful remedy" for real or imaginary wrongs; or that it was a Wisconsin justice of the peace, under the protection and approval of higher courts, who discovered relief for public burdens in fulminating writs of habeas corpus and mandamus against the majesty of federal authority on Wisconsin soil, all of which serves to demonstrate that the evils incident to popular government are not easily to be abrogated in any manner yet ascertained, and much less by acts of the legislature transferring its proper and legitimate powers from one department of the government to another, equally human and frail.

Respectfully submitted.

GEO. H. PAUL,  
JOS. RANKIN.

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### MESSAGE FROM THE ASSEMBLY.

By J. E. ELDRED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has passed, and asks the concurrence of the senate in,

No. 117, A.,

A bill to amend section 925 of chapter 40 of the revised statutes of 1878, entitled towns, cities and villages,

And has adopted, and asks the concurrence of the senate in  
Jt. Res. No. 21, A.,

Relating to appointment of committee of three in regard to reduction of administrative and legislative expenses.

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### ASSEMBLY MESSAGE CONSIDERED.

No. 117, A.,

Was referred to committee on Town and County Affairs.

Jt. Res., No. 21, A.,

Was referred to committee on Legislative Expenditures.

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### BILLS READY FOR A THIRD READING.

No. 42, S.,

A bill to amend section 2437 of the revised statutes, in relation to phonographic reporters,

No. 73, S.,

A bill to create the Kewaunee Harbor Commission and define their duties,

No. 108, S.,

A bill to authorize the justices of the peace elected in the several wards of the city of Plymouth, to keep an office and perform their duties in any part of said city,

No. 144, S.,

A bill to amend section 1979 of chapter 90 of the revised statutes of 1878, relating to organization for protection against fires, .  
Were severally read a third time and passed.

No. 6, A.,

A bill to amend section 1928 of chapter 89 of the revised statutes of 1878, relating to town insurance companies,

No. 30, A.,

A bill to repeal sections 6, 7 and 8 of chapter 259, laws of 1878, and chapter 104, laws of 1879, relating to a state road from Wolf river, in Shawano county, to Wausau, in Marathon county,

Were severally read a third time and concurred in.

No. 18, S.,

A bill to appropriate to the commissioners of fisheries a certain sum therein named,

Was read a third time and passed.

The ayes and noes being required, it was decided in the affirmative; ayes, 21; noes, 1; not voting, 11.

The vote was as follows:

*Ayes* — Senators Anderson, Burrows, Carter, Chipman, Dering, Grimmer, Haben, Houghton, Hyde, Kelly, McFetridge, McGrew, Paul, Price, Richardson, Ryland, Scott, Smith, Thomas, Van Schaick and Woodman — 21.

*Noes* — Senator Weaver — 1.

*Not voting* — Senators Bennett, Blackstone, Fifield, Griffin, Kellogg, Morgan, Quarles, Rankin, Sacket, Sutherland and Van Steenwyk — 11.

No. 43, S.,

A bill relating to appropriation for stationery for certain employes,

Was read a third time and passed.

The ayes and noes being required, it was decided in the affirmative; ayes, 16; noes, 6; not voting, 11.

The vote was as follows:

*Ayes* — Senators Anderson, Burrows, Chipman, Haben, Houghton, Hyde, Kelly, McFetridge, McGrew, Paul, Rankin, Ryland, Scott, Smith, Thomas and Van Schaick — 16.

*Noes* — Senators Carter, Dering, Grimmer, Price, Richardson and Woodman — 6.

*Not voting* — Senators Bennett, Blackstone, Fifield, Griffin, Kellogg, Morgan, Quarles, Sacket, Sutherland, Van Steenwyk and Weaver — 11.

No. 151, S.,

A bill to confer certain police powers upon agents of the Wisconsin Humane Society,

Was recommitted to Judiciary committee.

No. 261, S.,  
A bill to allow a certain sum of money to Simeon Mills, late treasurer of the State Hospital for the Insane,  
Was laid over till to-morrow.

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### BILLS ON THEIR THIRD READING.

No. 87, A.,  
A bill to amend section 4 and section 16 of chapter 148 of the laws of 1873, entitled an act to incorporate the city of Boscobel, and to repeal section 1, chapter 84 of the laws of 1875, entitled an act to amend chapter 148 of the laws of 1873, entitled an act to incorporate the city of Boscobel,

No. 118, A.,  
A bill to authorize Gustaf J. Erickson and P. E. Petterson to construct and maintain a dam across Wood river, in Burnett county,

No. 125, A.,  
A bill to authorize Andrew Tainter, John H. Knapp, Henry L. Stout, William Wilson, Thomas B. Wilson and John H. Douglas to erect and maintain a dam across Turtle creek, in Barron county, on land owned by the Knapp, Stout & Co. Company,  
Were severally ordered to a third reading.

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### BILLS ON THEIR ENGROSSMENT AND THIRD READING.

No. 137, S.,  
A bill to amend section 2922 of the revised statutes, concerning costs and fees allowed to parties in circuit courts,

No. 158, S.,  
A bill authorizing judgments of the supreme court to be docketed in the circuit court,

No. 164, S.,  
A bill in relation to costs and fees, and amendatory of section 252 of the revised statutes of 1878,

No. 170, S.,  
A bill to amend section 2918 of chapter 129 of the revised statutes, entitled of costs and fees allowed to parties in circuit courts,

No. 174, S.,  
A bill to repeal certain provisions of section 2478 of the revised statutes, relating to juries in county courts,

No. 176, S.,  
A bill to repeal section 4073 of chapter 176 of the revised statutes, entitled of evidence,

No. 199, S.,  
A bill to repeal chapter 205 of the laws of Wisconsin of 1879, entitled an act to limit the number of terms to which a person may be eligible to the office of county treasurer,

No. 214, S.,

A bill to legalize the action of the board of supervisors of Lincoln county,

No. 231, S.,

A bill to amend section 2424 of the revised statutes, relating to the time of holding court in Brown county,

Were severally ordered engrossed and read a third time.

The amendments to

No. 8, S.,

A bill to appropriate a certain sum of money therein named to George W. Perry, of Douglas county, to pay him for services and disbursements as attorney in the case of the state of Wisconsin against the city of Duluth *et al.*,

Were adopted, and the bill was ordered engrossed and read a third time.

No. 117, S.,

A bill to amend section 20 of chapter 5 of the revised statutes of 1878, entitled of electors and general elections,

No. 197, S.,

A bill to repeal section 2455 of the revised statutes of 1878, relating to county judges,

Were severally indefinitely postponed.

On motion of Senator Price,

No. 127, S.,

A bill to amend section 680 of the revised statutes, relating to claims against counties,

Was laid over until Thursday, the 19th inst.

On motion of Senator McGrew,

No. 128, S.,

A bill to preserve the peace and secure good order on fair grounds, at camp meetings and at other places,

Was recommitted to a select committee consisting of Senator McGrew.

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On motion of Senator Dering,

The senate adjourned.

TUESDAY, FEBRUARY 17, 1880.

10 o'CLOCK A. M.

The senate met.

President *pro tem.* Scott in the chair.

Prayer by the Rev. Mr. Irish.

The roll was called, and the following senators answered to their names:

Senators Anderson, Bennett, Burrows, Carter, Chipman, Dering, Griffin, Grimmer, Haben, Houghton, Hyde, Kelly, McFetridge, McGrew, Morgan, Paul, Price, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Thomas, Van Schaick, Weaver and Woodman.

The journal of yesterday was approved.

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### LEAVES OF ABSENCE.

Indefinite leave of absence was granted to Senators Van Steenwyk and Blackstone.

Leave of absence was granted to Senator Dering until Thursday morning.

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### COMMUNICATION.

OFFICE OF  
THE REGENTS OF THE UNIVERSITY OF WISCONSIN,  
MADISON, *February 17, 1880.*

HON. JAMES M. BINGHAM,

*Lieut. Governor and President of the Senate:*

DEAR SIR:—I have the honor to request you to invite the members of the senate to visit the Washburn Observatory this (Tuesday) evening, at any time which may suit their convenience, between the hours of seven and eleven o'clock. Should the weather not prove favorable for this evening, I desire that this invitation be considered as for the first clear night following.

Yours very respectfully,  
JAMES C. WATSON,  
*Director of the Washburn Observatory.*

## LETTERS, PETITIONS, Etc.

By Senator Paul:

Pet. No. 47, S.,

Of Right Rev. Bishop E. R. Wells and 100 other citizens and taxpayers, against taxation of property held and used for charitable, benevolent, religious or educational purposes.

To committee on Charitable and Penal Institutions.

By Senator McGrew:

Pet. No. 48, S.,

Of Geo. R. Mitchell, H. H. Benson, J. W. Lybrand and 86 other citizens of Richland county, asking for the restoration of capital punishment.

To committee on Judiciary.

By Senator Anderson:

Pet. No. 49, S.,

Of M. G. Todd and 115 other citizens of Dane county, protesting against re-enacting the death penalty.

To committee on Judiciary.

By Senator Paul:

Pet. No. 50, S.,

Of citizens of Milwaukee against the re-enactment of the death penalty in Wisconsin.

To committee on Judiciary.

By Senator Morgan:

Pet. No. 51, S.,

Of L. Motzfelet and 226 others, asking for establishing the name and location of the county seat of the county of New.

To committee on Town and County Affairs.

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REPORTS OF COMMITTEES.

The committee on State Affairs, to whom was referred

Jt. Res. No. 9, S.,

Resolution amending sections 4, 5, 11 and 21, article 4, of the Constitution of the State of Wisconsin,

Have had the same under consideration, and a majority of the committee report the same back to the senate, with the recommendation that it be indefinitely postponed.

## REPORT.

Your committee are not unmindful of the fact that considerable sentiment has been created in this state in favor of a change of the constitution to provide for biennial sessions of the legislature. To drift with this sentiment because it appears to be popular would be an easy task, but in proposing an amendment to our *organic law*,

a very different duty is devolved upon the member of the legislature than to merely float with the popular current of public sentiment. He must act on his own convictions; examine for himself; and if the hastily formed opinions of his constituents are in his judgment erroneous upon a proposed constitutional amendment, he cannot abdicate his judgment to accept theirs. If he is satisfied that their conclusions are wrong, that their opinion is formed upon misinformation or erroneous assumptions of fact, it is his duty to act as his own judgment dictates, and not sacrifice his convictions in order that his vote may coincide with the popular clamor or prejudice.

Your committee, after careful examination of the subject, are of the opinion that nothing is to be gained, but that the interest of good government in this state will be injured by a resort to biennial sessions of the legislature. The following considerations impel your committee to such conclusion:

1. The principal argument with the masses who favor this amendment is: that it will result in greater economy; that as a session costs about \$100,000, the omission of a session every other year will save the state in two years the sum of \$100,000. This idea of a saving of public money is the one from which this proposed amendment, if your committee judge rightly, derives its popularity. Indeed the few resolutions of county boards of supervisors which have been passed and presented here, as make, weights to help along this measure, assign as one of the chief reasons that of economy.

To determine the effect of biennial sessions in a financial point of view, your committee call attention to the following comparative statistics.

The state taxes levied by the several western states, similar as they are in age, development and general modes of administration, are a very fair criterion of the relative frugality of their state governments. We invite attention to the following figures, compiled from official reports:

#### STATE TAXES.

The state tax of Wisconsin for nine years past has been as follows:

	<i>Valuation.</i>	<i>Tax.</i>	<i>Rate.</i>
1871.....	\$456,000,000	\$630,000	1.38 mills
1872.....	390,000,000	765,000	1.96
1873.....	390,000,000	671,000	1.72
1874.....	421,000,000	526,000	1.25
1875.....	421,000,000	599,000	1.40
1876.....	424,000,000	736,000	1.56
1877.....	424,000,000	648,000	1.31
1878.....	413,102,976	541,000	1.31
1879.....	438,971,801	455,871	1.03

Compare with this table the rate of the state tax levied in other states, where the fruits of the biennial system have had time to ripen. In the western states named below, the state tax and its rates ranged thus:

1877.	Amount Raised by Taxation.	
Illinois.....	\$2,640,025	3.60 mills.
Indiana.....	1,895,484	1.80 "
Iowa.....	750,000	2.00 "
Kansas.....	714,549	5.50 "
Michigan.....	1,071,021	1.70 "
Missouri.....	2,843,958	4.00 "
Ohio.....	4,581,285	2.90 "
1878.		
Illinois.....	3,330,000	3.60 "
Indiana.....	1,211,600	1.40 "
Iowa.....	750,000	2.00 "
Kansas.....	705,000	5.50 "
Michigan.....	608,348	1.70 "
Missouri.....	2,843,958	4.00 "
Ohio.....	4,560,879	2.90 "

Wisconsin's state tax is at a lower rate than that of any biennial state, save only Tennessee, which has *repudiated* her public debt and pays no interest on it. Certain it is that the saving of biennial sessions does not appear in their state tax. Tried by this test, the most *infallible* that can be applied, annual sessions have not prevented Wisconsin from leading the *van* as a state frugally governed.

LEGISLATIVE EXPENSES.

By comparison of the legislative expenses of Wisconsin with those of the western biennial states, the idea of economy receives a more *staggering blow*.

In *Wisconsin* the legislative expenses for nine years past, are officially reported as follows:

1871 Total cost.....	\$101,666 12
1872 ....do.....	112,326 80
1873 ....do.....	103,780 22
1874 ... do.....	88,010 51
1875 ....do.....	86,645 50
1876 ....do.....	95,835 43
1877 ....do.....	90,579 01
1878 ....do.....	107,605 45
1879 ....do.....	84,301 61
Total for nine years.....	\$870,700 65
Average per year.....	96,744 51

ILLINOIS.

In Illinois they were as follows:

1871 and 1872, total cost.....	\$596,925 91
1873 and 1874, total cost.....	439,632 97
1875, total cost.....	207,202 03
1877, total cost.....	296,610 85
1879, total cost.....	278,799 78
Total for nine years.....	\$1,814,171 49
Average per year.....	201,574 61

Briefly stated, the legislative expenses of Illinois have for the last nine years averaged over \$104,000 yearly more than those of Wisconsin.

## OHIO.

In Ohio, the first state to adopt the biennial system under a far more pressing out-cry than is pretended in Wisconsin, its fruits *have turned to ashes on the lips*. The biennial system there is an acknowledged failure, and is practically abandoned. The legislative expenses there, with 36 *senators and* 105 *members*, range as follows:

1871 .....	\$120,918 21
1872 .....	115,032 68
1873 .....	117,848 57
1874 .....	99,032 08
1875 ..	108,597 70
1876 .....	97,075 81
1877 .....	125,824 69
1878 ..	122,201 01
1879 .....	150,000 00
Total in nine years.....	\$1,056,025 75
Average per year.....	117,336 19

In other words, an average of over \$20,000 per year more than is expended by an *annual* legislature in Wisconsin of about the same size; and, moreover, the biennial system in Ohio is practically *nullified* by a universal demand for annual legislation. Sessions are, and have been, continuously held every year ever since the plan was adopted. Ever since 1858 they have been held from January far into the month of May following.

The states of Illinois and Ohio are, it should be borne in mind, older states; their area is all developed, and if biennial sessions were a practicability anywhere, it should be in those states.

## MICHIGAN.

Your committee have been unable to obtain from Michigan full statistics. Legislative expenses are somewhat less there than here, but what is saved in this direction is lost in others. The *printing* expenses of the state of Michigan, added to her legislative expenses, far exceed the aggregate in Wisconsin:

## MICHIGAN.

Legislative expenses, 1875.....	\$106,000	.....
Printing expenses, 1875.....	134,000	.....
Printing expenses, 1876..	74,000	.....
Total.....	————	\$314,000

## WISCONSIN.

Legislative expenses, 1875.....	\$87,000	
Legislative expenses, 1876 .....	96,000	
Printing expenses, 1875 and 1876.....	50,000	
Total.....	————	233,000
Difference in favor of Wisconsin.....		\$81,000

Not only in point of money, but in time, does comparison show more favorably to Wisconsin than to the biennial neighboring states. The following table shows the time spent in legislation, and it is fatal to the economic argument:

## LENGTH OF SESSIONS.

	Wis.	Ill.	Ohio.	Mich.
1871.....	74 days. }	293 days.	120 days.	105 days.
1872.....	77 " }		120 "	29 "
1873. ....	72 " }	204 "	125 "	121 "
1874.....	58 " }		106 "	24 "
1875.....	52 " }	100 "	115 " }	119 "
1876.....	61 " }		101 "	
1877....	57 " }	142 "	126 "	140 "
1878.....	76 " }		129 "	
1879.....	57 " }	144 "	166 "	151 "
Total.....	584 "	883 "	1,108 "	689 "
Average per year.	64 "	96 "	123 "	76 "
	=	=	=	=

Thus Wisconsin, under the annual system, spends *per annum* 32 days less than Illinois, 59 days less than Ohio, and 12 days less than Michigan, under their assumed time and money saving (?) biennial system.

These comparative statistics show that nothing is gained in time or money by biennial legislatures, and that Wisconsin leads them in economy both of time and money expended for legislation.

Why change, then?

All the advocates of this proposed amendment, who have examined the figures, frankly admit that their argument, so far as it rests on considerations of economy, is *utterly refuted*, and that the popular desire for this change rests upon a mistaken and erroneous notion of its economic effects.

2. Another argument urged in favor of this amendment, is that biennial legislatures will relieve us from frequent changes in the laws, from the evil of over legislation. This argument, like the former, rests on assumptions, which will not bear scrutiny. The experiences of our state for the last twenty years, eventful as they have been, show that the great mass of the changes which our laws have undergone, were made after the laws altered had had two years or more of existence. Out of twenty years' legislation, comparatively few laws passed one year were altered or repealed the next ensuing, as the following table will show:

*Number of acts of general operation repealed and amended of each year from 1860 to 1878, inclusive, by legislation of next ensuing year.*

LAWS.	Repealed or amended by laws of.	Number amended.	Number repealed.	Total.
Laws of 1860 .....	1861	10	1	11
1861 .....	1862	9	6	15
1862 .....	1863	11	3	14
1863 .....	1864	3	None.	3
1864 .....	1865	6	1	7
1865 .....	1866	5	5	10
1866 .....	1867	19	8	27
1867 .....	1868	10	8	18
1868 .....	1869	9	7	16
1869 .....	1870	6	1	7
1870 .....	1871	1	None.	1
1871 .....	1872	7	2	9
1872 .....	1873	11	None.	11
1873 .....	1874	8	2	10
1874 .....	1875	4	1	5
1875 .....	1876	10	3	13
1876 .....	1877	11	1	12
1877 .....	1878	7	5	12
1878 .....	1879	1	None.	1
Total .....	.....	148	49	.....

It is a significant fact that the most of the amendments above enumerated were retained in our body of laws, and were preserved in substance in the revision as part of the settled statutory code of the state.

#### BIENNIALISM A FAILURE.

Ohio, as we have said, adopted the biennial system quite early, and in the fond hope that it was a legislative reform. She soon threw it away practically as an EXPLODED HUMBUG, a *patent right* kind of government, very practicable and economical in the advertisement, but a FAILURE when put to use.

Indiana has thrown away the invention, and had annual sessions each year for the last ten years. Kansas INVESTED in this BOGUS recipe for cheap legislation when her constitution was adopted, and she too grew sick of it, and for the last ten years has had a session every year, except 1878, varying from 52 to 58 days in duration. Missouri frequently has biennial sessions made annual by adjournment over. The last session of the Missouri legislature was 130 days in length. Sessions of such duration in this state would practically prevent farmers from being members. Connecticut recently voted down an amendment to change annual to biennial sessions by an overwhelming majority. Gen. J. R. Hawley, the veteran editor and statesman, was at first an advocate of the change,

but on investigation of its results and effects, he changed front and stoutly opposed it. The chairmen of both the Republican and Democratic State Central Committees of that state, also opposed it.

Two states, in adopting new constitutions since the war, have returned from biennial to annual sessions. In the last constitutional convention in Michigan, the northern portion of the state was solid for annual sessions, and the biennial men only carried the measure by a small majority in the convention.

The argument, then, in favor of biennial sessions, that they will result in economy and afford greater stability and fixity to the statutes, is fully met by this showing of facts. Such argument is pure speculation, founded on assumptions of a state of facts which do not exist. The following additional reasons suggest themselves to the majority of your committee, why this change in the constitution should not be made:

1. The experience of all western states, and in fact of all states in process of development, has shown that they need flexible codes, frequent change in the laws to meet changed conditions in affairs. These changes, in the main, tend toward improvement.

2. The institutions of the state need watching. A frequent, careful supervision of our state affairs is necessary. This has been done so faithfully in this state, under our present system, that we can claim for economy and frugality of administration the first rank among the states. With biennial sessions they will be less careful and thorough, and extend over longer periods of time.

3. The state estimates for support of all our institutions must be provided for two years in advance; the investigation of their affairs and needs will be less thorough, and the estimates *less careful* than now; and as a consequence of diminished supervision, **LARGER** appropriations must be made and *greater cost entailed*.

4. A lesser number of citizens will be informed as to the condition of state affairs. They will cease to attract the attention of the press or the people to the same degree as now. As an educator of public spirited men in state affairs, the legislature is and always will be necessary. The annual session gives more experience to more men; calls up matters often, challenges public attention more frequently, and the government is more emphatically the expression of the popular will than under biennial sessions it could be.

Publicists have often lamented that so few of the active, intelligent business men of the country took an interest in public affairs, and to this cause they ascribe the existence of so much evil in government. The tendency of this amendment is to reduce the number of our citizens who will become correctly informed in state affairs, and to withdraw the affairs of state government, in a large degree, from public scrutiny.

5. The effect of this amendment will be, if we may judge of the invariable experience in those states which have adopted the system, to greatly prolong the sessions. This will practically debar the farmer from being present in the later spring, when the really important business of the session will be disposed of. He will not be able to be absent from his farm during the seed time. The result

will be that this class of members, always the champions of the people for economy and ANTI-MONOPOLY, can be present only at GREAT SACRIFICE of private interests.

6. The amendment renders it impossible to correct any abuses of a state administration, or even investigate them, until too late. The sessions will probably be held in the same year that the new administration enters on its duties. The term of the state officers will have expired before their conduct can be reviewed by the next legislature. Thus the check of the legislature on the other departments of the government is practically useless, and maladministration cannot be prevented till the mischief is accomplished.

7. This proposed change, by extending the term of senators four years, tends to remove further off the influence of the people in the election of UNITED STATES SENATORS. One-half the senators will, at every election of a United States senator, be two years from their constituents, instead of one year as now. They will seldom expect a re-election, hence be less susceptible to popular influence than now, and their vote less likely to reflect the popular choice. The change that tends to render more remote the influence of the people in the United States senate, is a MOST PERNICIOUS one, and should not be adopted.

8. The amendments which this resolution proposes are but half-way measures. They cause all the evils without any of the benefits which might be claimed from this extension of terms of office. To draw any benefit whatever from this system in an economic point of view, the terms of state officers should in like manner be extended to four years. If this were not deemed expedient, at least such other changes should accompany this measure as will obviate the necessity of a *general election* oftener than once in two years.

Thus, by saving the people the expense and loss of time, and the turmoil of an election every other year, some real saving of money could be effected, which, as we have said, is the expected benefit to be derived from this change. But this measure is crudely conceived. It does not seek to harmonize or adapt one system to the change it proposes, and by being but a partial remedy for the evils it assumes to exist, defeats its own object.

By going further and providing also for biennial general elections, something would be saved to the people, for the cost of a general election in time and money, far exceeds that of a session of the legislature.

All of which is respectfully submitted.

GEO. B. BURROWS,  
MATT. ANDERSON.

E. C. McFETRIDGE, dissenting.

Leave was granted to minority to make a report within two days.

The committee on Enrolled Bills have examined and find correctly enrolled.

Jt. Res. No. 10, S.,

Requesting the United States ministers to England and Spain to use their best efforts to secure certain publications for the State Historical Society.

Jt. Res. No. 7, S.,

Requesting senators and members of congress from Wisconsin, to support a certain bill in relation to immediate transportation of dutiable goods.

W. T. PRICE,  
*Chairman pro tem.*

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The committee on State Affairs, to whom was recommitted the nomination by his excellency, the governor, of Hiram H. Giles, as a member of the State Board of Charities and Reform, for the term commencing the first day of April, 1880, respectfully submit the following report:

The act organizing the State Board of Charities and Reform provides that "the board shall appoint a qualified elector as secretary." Under this provision, it is optional with the board to appoint one of its own number or an outsider. "The duty of the secretary shall be to record all the transactions of the board and the proceedings of their meetings; to keep their books and papers; make such visits, and perform such other duties as the board may prescribe."

One of the duties of the board is "to visit annually or as may be necessary," each institution or establishment mentioned in the act, "either by the members personally or by their secretary."

The board, serving without pay, are not and cannot be expected to visit all the county and private institutions each year. That duty is devolved upon its secretary, and the members of the board make personal visits as often as convenient."

The secretary being the only one connected with the board that receives a salary, is required to devote his whole time to the work. He is expected to visit and inspect the county institutions, and report their condition. His report becomes the report of the board, and for any remissness in discovering cases of mismanagement, the board is held responsible, and often receives censure.

It will be readily seen that if the secretary is a member of the board, one member at least is directly responsible for any neglect of duty in carrying out the provisions of the law in the correction or exposure of any evils that may exist in connection with our public institutions.

Mr. Giles was appointed secretary the 9th of September last, to fill the vacancy caused by the resignation of T. D. Kanouse, until the 1st of April next. He was and will continue to be a member of the board until that date, when his term as secretary and member of the board will expire. His reappointment, made by the governor, is to take effect at the date of April 1st.

We are of the opinion that there is nothing improper in a member of the board acting as its secretary, but, on the other hand, do see good and sufficient reasons why the board, in its discretion, may and should appoint one of its own number to do its work as secretary.

We again recommend that the appointment be confirmed.

GEO. B. BURROWS,  
*Chairman.*

The question being on the confirmation of H. H. Giles as a member of the State Board of Charities and Reform,

The ayes and noes being required, it was decided in the affirmative; ayes 22; noes 1.

The vote was as follows:

*Ayes* — Senators Anderson, Burrows, Chipman, Dering, Griffin, Grimmer, Haben, Houghton, Hyde, Kelly, McFetridge, McGrew, Morgan, Price, Richardson, Ryland, Scott, Smith, Thomas, Van Schaick, Weaver and Woodman — 22.

*Noes* — Senator Rankin — 1.

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The committee on Charitable and Penal Institutions, to whom was referred

No. 88, S.,

A bill to provide for the rebuilding of a portion of the Institution for the Education of the Deaf and Dumb, and to appropriate the sum of money therein named,

Have had the same under consideration, and instructed me to report it back with plans for buildings and several amendments, and the recommendation that it do pass when so amended.

No. 173, S.,

A bill providing for the erection of an institute for the deaf and dumb on the site of old Fort Winnebago,

No. 230, S.,

A bill to appropriate a sum of money therein named for the erection of an institution for the education of the deaf and dumb in the county of Brown, upon a suitable site to be donated by the citizens of said county,

And instructed me to report them back with the recommendation that they be indefinitely postponed.

H. RICHARDSON,  
*Chairman.*

On motion of Senator Price,

Nos. 173 and 230, S.,

Were recommitted to the committee on Claims.

## MESSAGE FROM THE ASSEMBLY.

By J. E. ELDRÉD, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has passed, and asks concurrence of the senate in,

No. 46, A.,

A bill to amend subdivision 4 of section 670 of the revised statutes, relating to the bounty on wild animals,

No. 89, A.,

A bill to legalize the acts of Geo. R. Mahoney, Henry P. Fischer and H. L. Meyer, deputy clerks of the city of Milwaukee,

No. 136, A.,

A bill to amend an act entitled an act to provide for the registry of electors at charter elections in the city of Milwaukee,

No. 311, A.,

A bill to fix the salary of the chief of police in the city of Milwaukee, and to prohibit police and other officers of said city from receiving witness fees in certain cases,

And has adopted

Jt. Res. No. 19, A.,

Joint resolution relating to railroad maps,

And has concurred with the senate in amendments to

No. 44, A.,

A bill to amend section 4765 of chapter 194 of the revised statutes of 1878, entitled of proceedings in criminal cases in justices' courts,

No. 99, A.,

A bill to amend section 2523 of chapter 115 of the revised statutes, entitled of the municipal court of Dane county,

And has concurred with the senate in

No. 36, S.,

A bill to appropriate the sum of five hundred dollars to the Wisconsin State Dairymen's Association.

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ASSEMBLY MESSAGE CONSIDERED.

No. 46, A.,

Was referred to the committee on State Affairs.

Nos. 89 and 311, A.,

Were referred to the Milwaukee senators.

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On motion of Senator Hyde,

All rules interfering with the present consideration of No. 136, A., were suspended, and the bill was read a third time and concurred in.

Jt. Res. No. 19, A.,

Was concurred in.

## BILLS READY FOR A THIRD READING.

No. 114, S.,

A bill to authorize Thos. B. Scott to build a dam or dams on Prairie river, in Lincoln county, Wisconsin,

No. 148, S.,

A bill to provide for the collection of statistics of pauperism and crime,

No. 160, S.,

A bill to authorize A. E. Sawyer, David Austin and Richard Dewhurst to build and maintain a dam across Black river,

No. 177, S.,

A bill to authorize John H. Knapp, Henry L. Stout, Andrew Tainter, William Wilson, Thomas B. Wilson and John H. Douglas, and their associates, successors and assigns, to erect and maintain a dam across the Red Cedar river, on lands owned by the Knapp, Stout & Co. Company,

No. 184, S.,

A bill to allow general accident insurance companies to do business in this state,

No. 188, S.,

A bill authorizing the Chicago, St. Paul & Minneapolis Railway Company to abandon, under certain conditions, that portion of its railway lying between North Wisconsin Junction and the St. Croix Lake,

No. 191, S.,

A bill to repeal sections 5 and 6 of chapter 192 of the general laws of 1879, in relation to game,

No. 200, S.,

A bill to amend chapter 58 of the private and local laws of 1859, entitled an act to incorporate the Madison Gymnastic Association,

No. 201, S.,

A bill to amend section 1480 of the revised statutes of 1878, relating to the prevention of the spread of noxious weeds,

No. 213, S.,

A bill to amend chapter 3 of chapter 72 of the private and local laws of 1858, entitled an act to incorporate the city of Ripon,

M. C. No. 7, S.,

For sale of a portion of the Menomonee reservation in the county of Shawano,

M. C. No. 8, S.,

Memorial to congress for an adequate appropriation for the improvement of the harbor of Green Bay,

Were severally read a third time and passed.

No. 87, A.,

A bill to amend section 4 and section 16 of chapter 148 of the laws of 1873, entitled an act to incorporate the city of Boscobel, and to repeal section 1, chapter 84 of the laws of 1875, entitled an act to amend chapter 148 of the laws of 1873, entitled an act to incorporate the city of Boscobel,

No. 118, A.,

A bill to authorize Gustaf J. Erickson and P. E. Petterson to construct and maintain a dam across Wood river, in Burnett county,

No. 125, A.,

A bill to authorize Andrew Tainter, John H. Knapp, Henry L. Stout, William Wilson, Thomas B. Wilson and John H. Douglas to erect and maintain a dam across Turtle creek, in Barron county, on land owned by the Knapp, Stout & Co. Company,

Were severally read a third time and concurred in.

No. 59, S.,

A bill to appropriate to the Institution for the Education of the Blind a sum of money therein named,

Was read a third time and passed.

The ayes and noes being required, it was decided in the affirmative: ayes, 27; noes, none.

The vote was as follows:

*Ayes* — Senators Anderson, Bennett, Burrows, Carter, Chipman, Dering, Griffin, Grimmer, Haben, Houghton, Hyde, Kelly, McFetridge, McGrew, Morgan, Paul, Price, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Thomas, Van Schaick, Weaver and Woodman — 27.

*Noes* — None.

No. 99, S.,

A bill to appropriate a sum of money therein named to Geo. H. Paul, for expenses in defending his right to a seat in this senate, against the claim made thereto by David J. Price,

Was read a third time and passed.

The ayes and noes being required, it was decided in the affirmative: ayes, 23; noes, 1.

The vote was as follows:

*Ayes* — Senators Anderson, Bennett, Burrows, Carter, Chipman, Dering, Griffin, Grimmer, Haben, Houghton, Hyde, Kelly, McFetridge, McGrew, Morgan, Rankin, Richardson, Scott, Smith, Thomas, Van Schaick, Weaver and Woodman — 23.

*Noes* — Senator Ryland — 1.

No. 219, S.,

A bill to amend section 1 of chapter 80 of private and local laws of 1855, entitled an act supplementary to an act to incorporate the Milwaukee Mechanics' Mutual Insurance Company, relating to restrictions in bringing suits,

Was recommitted to the Judiciary committee.

No. 87, S.,

A bill to appropriate to the superintendent of public property a sum of money therein named, to purchase the necessary stationery for the use of the legislature and state officers for the ensuing year,

No. 261, S.,

A bill to allow a certain sum of money to Simeon Mills, late treasurer of the State Hospital for the Insane,

Were laid over until to-morrow.

On motion of Senator Rankin,

The vote by which No. 191 was passed was reconsidered,

And the bill was recommitted to a select committee consisting of the lake senators.

The chief clerk was instructed to amend the titles to Nos. 59, 114, 191 and 200, S., to correspond with the bodies of the bills.

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### BILLS ON THEIR THIRD READING.

No. 40, A.,

A bill to amend the charter of the city of Oshkosh,

No. 73, A.,

A bill to allow Gustavus Werlick, his associates and assigns, to erect and maintain a dam and boom and otherwise improve Big Rib river in Marathon county,

No. 126, A.,

A bill to authorize John H. Douglas, Andrew Tainter, Thomas B. Wilson, Henry L. Stout, Wm Wilson and John H. Knapp, and their associates, successors and assigns, to erect and maintain a dam across Turtle creek on land owned by the Knapp, Stout & Co. Company,

Were severally ordered to a third reading.

No. 131, A.,

A bill to authorize the construction of a dam across the south branch of the Embarrass river in Shawano county,

No. 33, A.,

A bill to authorize Chas. W. Hanson to build and maintain a dam across, and otherwise improve, Christmas creek, in Chippewa county, Wisconsin,

Were recommitted to the committee on Incorporations.

On motion of Senator Sacket,

The rules were suspended, and

No. 348, A.,

A bill to provide for the compensation of certain additional employes of the legislature of 1880,

Was read a third time and concurred in.

The ayes and noes being required, it was decided in the affirmative; ayes, 21; noes, 3.

The vote was as follows:

*Ayes* — Senators Anderson, Bennett, Burrows, Chipman, Dering, Griffin, Grimmer, Houghton, Hyde, Kelly, McFetridge, McGrew, Price, Richardson, Ryland, Sacket, Scott, Smith, Thomas, Van Schaick and Woodman — 21.

*Noes* — Senators Carter, Rankin and Weaver — 3.

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### BILLS ON THEIR ENGROSSMENT AND THIRD READING.

No. 125, S.,

A bill relating to offenses against the lives and persons of individuals, and amendatory of section 4389, chapter 181, revised statutes of 1878,

Was ordered engrossed and read a third time.

No. 11, S.,

A bill to amend section 329 of chapter 20 of the revised statutes of 1878, relating to the publication of the laws,

Was laid over until Friday, the 20th inst.

No. 53, S.,

A bill fixing the time when wild deer may be taken in the counties of Ashland, Bayfield and Douglas,

Was laid over until Thursday, the 19th inst.

No. 102, S.,

A bill to amend sections 1546, 1547 and 1786 of chapters 65 and 86 of the revised statutes, relating to industrial schools and commitments thereto,

Was laid over until to-morrow.

No. 154, S.,

A bill to appropriate to the Bell Telephone Company of Madison, Wisconsin, a sum of money therein named,

Senator Kelly offered the following amendment:

Amend section 1 by striking out the word "yearly," where it occurs in said section, and by inserting after the word "rental," the words "for the year 1880."

Adopted.

The question being on the indefinite postponement of the bill,

The ayes and noes being demanded, it was decided in the negative, the vote was as follows:

*Ayes* — Senators Carter, Price, Richardson, Ryland, Weaver and Woodman. — 6.

*Noes* — Senators Bennett, Burrows, Chipman, Dering, Griffin, Grimmer, Haben, Houghton, Hyde, Kelly, McFetridge, McGrew, Morgan, Paul, Rankin, Scott, Thomas and Van Schaick — 18.

The bill was then ordered engrossed and read a third time.

On motion of Senator Thomas, further consideration of

No. 63, S.,

A bill relating to writs of mandamus and prohibition, and amendatory of section 3452 of the revised statutes of 1878, with pending amendments,

Was made the special order for Friday, the 20th inst., at 10 o'clock A. M.

On motion of Senator Houghton,

The vote by which

No. 117, S.,

A bill to amend section 20 of chapter 5 of the revised statutes of 1878, entitled of electors and general elections,

Was indefinitely postponed,

Was reconsidered, and the bill recommitted to the Judiciary committee.

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On motion of Senator Price,

The senate adjourned until 7:00 o'clock this evening.

7:00 o'CLOCK P. M.

The senate met.

The president in the chair.

The roll was called, and the following senators answered to their names:

Senators Anderson, Bennett, Blackstone, Chipman, Fifield, Griffin, Grimmer, Haben, Houghton, Hyde, Kelly, McFetridge, McGrew, Morgan, Paul, Price, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Thomas, Van Schaick, Weaver and Woodman.

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### REPORTS OF COMMITTEES.

The committee on Incorporations, to whom was referred  
No. 202, S.,

A bill to amend section 12 of chapter 84 of the private and local laws of 1864, entitled an act to incorporate the Black River Improvement Company, approved February 23, 1864,

Have had the same under consideration, and have carefully considered the bill and beg leave to report as follows:

That in 1864 the lumbermen operating on Black river organized themselves into an improvement company, and procured from the legislature a charter giving them the right to improve Black river.

That they took possession of said Black river and have improved the same under their charter, and have made large and valuable improvements, by means of which the facilities for driving and handling logs have been made reasonably certain and at very cheap cost to the owners thereof.

That in January, 1876, other parties organized under the general laws, in the name of La Crosse Booming and Transportation Company, and under their charter took possession of a slough or branch of Black river, known as the Black Snake, the head or inlet of Black Snake having been previously dammed and closed by the Black River Improvement Company.

We find that the La Crosse Booming and Transportation Company opened a channel, and let the water from Black river again run into Black Snake, thereby reducing the volume of water in the main or east channel so much that it embarrasses the handling of logs and largely increases the expense thereof.

The committee further deem this a case where the Black River Improvement Company should be sustained, if they possibly can, under the laws, for the reason that they had, as they supposed, obtained all the necessary legislation, and entered upon and took possession of said river, relying upon the franchise granted them by the state, and have honestly and diligently improved and handled the property of the community with reasonable dispatch, and at a cheap cost, for a great many years.

The committee therefore recommend the passage of 202 S., with amendments, unless there is some legal objection to the same,  
And ask that it be recommitted to the Judiciary committee.

GEO. GRIMMER,  
*Chairman.*

So ordered.

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The committee on Engrossed Bills have examined and find correctly engrossed:

No. 8, S.,

A bill to appropriate a certain sum of money therein named to George W. Perry,

No. 125, S.,

A bill relating to offenses against the lives and persons of individuals, and amendatory of section 4389, chapter 181, revised statutes of 1878,

No. 137, S.,

A bill to amend section 2922 of the revised statutes, concerning costs and fees allowed to parties in circuit courts,

No. 154, S.,

A bill to appropriate to the Bell Telephone Company of Madison, Wisconsin, a sum of money therein named,

No. 158, S.,

A bill authorizing judgments of the supreme court to be docketed in the circuit court,

No. 164, S.,

A bill in relation to costs and fees, and amendatory of section 2927 of the revised statutes of 1878,

No. 170, S.,

A bill to amend section 2918 of chapter 129 of the revised statutes, entitled of costs and fees allowed to parties in circuit courts,

No. 174, S.,

A bill to repeal certain provisions of section 2478 of the revised statutes, relating to juries in county courts,

No. 176, S.,

A bill to repeal section 4073 of chapter 176 of the revised statutes, entitled of evidence,

No. 199, S.,

A bill to repeal chapter 205 of the laws of Wisconsin of 1879, entitled an act to limit the number of terms to which a person may be eligible to the office of county treasurer,

No. 214, S.,

A bill to legalize the action of the board of supervisors of Lincoln county,

No. 231, S.,

A bill to amend section 2424 of the revised statutes, relating to the time of holding court in Brown county.

GEO. W. RYLAND,  
*Chairman.*

The committee on Education, to whom was referred  
No. 251, S.,

A bill to amend section 422 of the revised statutes, relating to the alteration of school districts,

Have had the same under consideration, and have instructed me to report the same back with the recommendation that it be indefinitely postponed.

EDWIN E. WOODMAN,  
*Chairman.*

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The committee on Judiciary, to whom was referred  
No. 218, S.,

A bill relating to the board of state canvassers, and amendatory of section 58 of chapter 5 of the revised statutes of 1878,

Have had the same under consideration, and instruct me to report the same back with the recommendation that it do pass.

No. 219, S.,

A bill to amend section 1 of chapter 80 of private and local laws of 1855, entitled an act supplementary to an act to incorporate the Milwaukee Mechanics' Mutual Insurance Company, relating to restrictions in the bringing of suits,

With amendments, and recommend its passage when so amended.

H. E. HOUGHTON,  
*Chairman.*

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On motion of Senator Paul, No. 218, S., was recommitted to the committee on Claims.

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The committee on Railroads to whom was referred the following preamble and resolution of the Wisconsin Dairymen's Association, adopted at the convention held by said association at Elkhorn on the 14th and 15th inst., viz.:

"WHEREAS. There is a difference in the classification of butter and cheese on Wisconsin railroads as compared with the roads running east of Chicago, to wit: By the classification of Wisconsin roads, butter in tubs is rated first class, and in jars as double first class. On the eastern roads it is third class and no mention made as to style of package: and

"WHEREAS. On cheese the classification on Wisconsin roads is second class on lots under fifty boxes, third class on larger lots, and fourth class on car load lots; and

"WHEREAS. On eastern roads it is twenty cents less per hundred pounds than third class on all lots not in refrigerator cars and ten cents less than third class when in refrigerator cars, therefore,

"Resolved, That the legislature now in session, and the railroad commissioner of the state, are hereby respectfully requested to examine into the facts as above set forth, and ascertain the cause of

a want of uniformity in the classification of rates of freight upon dairy products upon railways east of Chicago and those running through Wisconsin."

Together with resolution number 18, S., presented by Senator Sutherland, as follows:

" *Resolved*, That the above matter of complaint be and the same is hereby referred to the Railroad committee of the senate, with instruction to investigate the same, and report, by bill or otherwise, such action as is proper to be taken in the premises."

Respectfully beg leave to report :

The railroad commissioner, as requested by said resolution, has given the matter careful inquiry and has obtained the freight tariffs of a number of the principal roads running to Chicago, and east therefrom, from which the following classifications of butter and cheese appear :

CLASSIFICATION OF BUTTER AND CHEESE,

*As per official classification of railways mentioned below.*

BUTTER.

*Wisconsin classification — C. & N. W. R'y.*

	Class.
Butter in crocks .....	Double 1st
in kegs or boxes.....	1st
in car loads.....	3c.

*Local classification to interior points — Mich. Cent. R. R.*

	Class.
Butter in crocks, carrier's risk.....	Double 1st
in wood .....	2d
in wood, 10,000 lbs. or over .....	3c.
in car loads.....	4th

*Local classification from Chicago, Joliet and Bloomington.*

	Class.
Butter.....	2d
Butter in car loads.....	3c.

*Local classification to interior points — P., Fort W. & C. R'y.*

	Class.
Butter, in crocks, carrier's risk, d.....	Double 1st
wood .....	2d
wood, 10,000 lbs. or over .....	3c
car loads .....	4th

*Local classification from Chicago — Lake S. & Mich. So. R'y.*

	Class.
Butter.....	2d
in car loads.....	3c

*Classification in use by Trunk Lines on shipments to the Atlantic seaboard.*

	Class.
Butter .....	3c

*Wisconsin classification — O., M. & St. P. R'y.*

	Class.
Butter, in crocks.....	Double 1st
kegs or boxes .....	1st
car loads.....	3c

## CHEESE.

*Wisconsin classification — C. & N. W. R'y.*

	Class.
Cheese in boxes or casks .....	2d
in 50 packages or over.....	3d
loose.....	double 1st
car loads.....	4th

*Local classification to interior points — Mich. Cent. R. R.*

	Class.
Cheese in boxes or casks .....	5c
in car loads, carrier's risk.....	4th
loose, not taken.	

*Local classification from Chicago, Joliet, Matteson and Bloomington.*

	Class.
Cheese in casks or boxes .....	2d
in 50 packages or over.....	3c
in car loads .....	4th

*Local classification to interior points — P., Ft. W. & C. R'y.*

	Class.
Cheese in boxes or casks.....	3c
in car loads, owner's risk ...	4th
loose, not taken.	

*Local Classification from Chicago — Lake S. & Mich. So. R'y.*

	Class.
Cheese in casks or boxes.....	2d
50 packages or over .....	3c
in carloads .....	4th

*Classification in use by Trunk Lines on Shipments to the Atlantic Sea Board.*

	Class.
Cheese in boxes or casks.....	
in refrigerator cars 10c less than.....	3c
not in refrigerator cars 20c less than .....	3c

*Wisconsin Classification — C., M. & St. P. R'y.*

	Class.
Cheese in boxes or casks.....	2d
50 packages or over .	3c
loose .	double 1st
in car loads.....	4th

An inspection of the classifications as appears by the foregoing, sustains the statements made in the preamble to the resolutions of the Dairymen's Association. An explanation of "the cause of a want of uniformity," that must be partially satisfactory, at least, is found in the fact that our local roads pick up the butter and cheese in small lots, at a great number of stations, and in the summer time furnish ice to keep it in proper condition, while lines

east from Chicago move these small accumulations in the shape of car loads. The classifications of Wisconsin roads, as compared with the classification of the trunk lines, *in car loads*, is the same (and all of the freight of this character on the trunk lines is in car loads), while their local classifications compared with the Michigan Central, the Pittsburg, Ft. Wayne & Chicago, the Lake Shore & Michigan Southern, and all other railways of which we have been able to obtain any information, is substantially the same.

Whether the classifications of butter in crocks and in kegs or boxes, and of cheese in boxes or casks, and of packages, bear their proper relations to butter and cheese, and other commodities, in car loads, we are not prepared to state. We fully appreciate the fact, however, that the dairy interests of this state, which are still in their infancy, are among the most important industries of the state, and if properly fostered and encouraged, and afforded the cheapest transportation possible consistent with profitable railroad management, the beneficial results of such a policy will appear in the largely increased quantities of freight of this character, in the very near future. So we have no hesitation in requesting the railroad commissioner, in the name of this senate, to invite the freight traffic managers of the several lines of road in this state to give the matter of classification of butter and cheese, and the rates of transportation therefor, their renewed and careful consideration, and we shall entertain no doubt that results will be reached that will be just to all concerned, and honorable to the railroad management.

The preamble and resolution referred to, and accompanying resolution No. 18, S., are herewith reported back, with the recommendation that they do lie upon the table.

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The Railroad committee submitted the following report of the railroad commissioner in regard to taxation.

GENTLEMEN: Your chairman has furnished me with the following resolution adopted at the last meeting of your committee:

*Resolved*, That the railroad commissioner be requested to furnish this committee with information as to whether the railroad property of this state pays its just proportion of tax as compared with the amount paid by the other taxable property in this state.

This resolution embraces a vast deal in its scope, and calls for information that cannot be given with any degree of certainty from any facts I have at my command. An opinion, indeed, might be given in about the same time that the resolution was written and adopted by your committee, but such an opinion would be of little value. To answer it properly would require weeks of patient investigation, and the result at last would be but

a matter of opinion. What facts I have at my command, and such opinions as I have been able to form within the brief space of time allotted to me, are at the disposal of your committee.

The amount of taxes paid by the railroads, and of the other property of the state, is known, and if the value of railroad and other property can be ascertained, the proportion of taxes paid by each form of property can be easily determined. This information is not at hand, and recourse must be had to all sources that will aid in solving the very difficult problem. First, we have an assessment of the property of the state, which is presumed to disclose its value, but it is well known to all that it but partially does so. We also have reports of all the real estate sold in the state during each year, which shows the amount the land was sold for and what valuation was given to it by the assessors. This information is of much service, as it shows the rule which governed the action of the assessors in fixing a value to property in their respective localities, and if we could apply the same rule to the balance of the property, a very fair valuation of all the property could be ascertained; but experience has shown that even that rule can not be safely resorted to — the less so, because a very large percentage of property that is taxable under the law, escapes the knowledge of the assessor and does not appear upon the tax rolls at all. We also have the value of the property of the state as returned by the census enumerators in 1870, but this was ten years ago and cannot be accepted as a basis for levying taxes now; for while there has been great depreciation in the value of some forms of property since the census, on the one hand, so on the other has there been a large amount of new properties added to the state. While the assessors in 1870 found but \$326,765,238 upon which to levy taxes, when the coming of the tax-gatherer disturbed the judgments of men, the census enumerators within a month thereafter found our property holders possessed of \$702,307,329, when they were oppressed with no visions of that kind. Neither of these sources alone furnish the information that must be had before a correct understanding can be arrived at, but by making use of all of them, results can be reached which will materially aid in solving the problem. So it becomes necessary at the outset to fix a value to the property of the state — in other words, to assess it. In doing this, I do not claim that the valuation I have given to the property is anything more than an approximate one.

A statement of the basis adopted for assessing or fixing a valuation to the property is given, and this committee must determine for itself whether the valuation is a fair one or not. While the resolution speaks in general terms of the property of the state, and the relative percentage of taxation, I have thought it advisable to give the valuation and taxes in several counties, for by so doing it brings the matter closer home to the knowledge of members, and will assist them in determining the correctness of the

rule I have adopted for giving a valuation to property when applied to the whole state.

First, I have taken the valuation given to property by the assessors, and have added to it the percentage of value above the assessment as shown by the sales of real estate, the calculation not extending to the assessment and sales of city and village lots. The amounts thus obtained are given, for the purpose of this inquiry, as the valuation of the property in several counties and the entire state. Against this valuation is given the total amount of state, county, county school, town, school district and road district taxes, which embrace, I believe, all the taxes levied in the state. In the next column is the percentage of taxation.

Starting with Walworth county, in the southern portion of the state, where population and the valuation of property is stable, and economy and prudence characterize the administration of public affairs, we find that the total property of the county was assessed in 1879 at \$13,427,554. The real estate sold was assessed at 80 per cent. of the amount expressed in the deeds. This would show a valuation of at least \$16,784,482. The total amount of the tax levies in the county was \$127,990.89, the rate being 7.169 mills. On the same basis the rate was 6.101 mills in Green; 9.685 mills in Columbia; 13.214 mills in Pierce; 10.637 mills in Dodge; 10.061 mills in Milwaukee; and 9.390 mills in Rock.

The total amount of taxes levied in all of the counties of the state, last year, has not been ascertained, but the assessment of property on the same basis that was applied to the counties named, shows a total valuation in the state of \$572,258,007. If the taxes were the same as the year before (as a matter of fact they were much less throughout the state), the amount would be \$7,969,859, and would show a percentage of taxation on all of the property of the state, of 13.909 mills. If the valuation of the state at the present time remains as found by the enumerators in 1870, the per cent. of taxation was 11.348 mills. Gov. Smith, in his first annual message, estimated the total property of the state at \$1,000,000,000. Accepting this estimate as the correct valuation at the present time, the rate of taxation is 7.969 mills.

A tabular statement showing the assessed valuation; the percentage of assessed valuation to the consideration expressed in the deeds; the valuation on basis of consideration expressed in deeds; and the valuation as per the census of 1870, for several counties and the entire state, is here given:

COUNTIES.	Valuation as made by the assessors.	Percentage of assessed valuation to the consideration expressed in deeds.	Valuation on basis of consideration expressed in deeds.	Valuation as per census of 1870.
Walworth .....	\$18,427,554	80	\$16,784,482	\$29,569,000
Green .....	8,414,175	58	14,507,198	18,849,000
Columbia .....	9,928,863	74	13,417,882	17,420,017
Pierce.....	4,037,098	59	6,842,538	5,373,662
Dodge.....	18,877,220	79	23,262,303	34,132,064
Milwaukee .....	47,282,073	51	92,709,947	68,422,711
Rock.....	18,735,325	72	26,021,284	40,900,000
The State.....	406,803,185	71	572,258,007	702,807,329

Next it becomes necessary to consider the valuation of railroad property. The cost of the roads, actual or assumed, in no manner represents their value, no more than does the volume of stock and bonds. The market value of their securities would afford a closer approximation to their value; but even this would be very deceptive, and it would lead to great error if that basis should alone be depended upon for actual valuation. The only method remaining that occurs to me, is to take their net earnings and ascertain what an amount, at a certain per cent., would produce the net earnings. This method I have resorted to, and have taken 7 per cent. as the amount. Applying this rule to the Chicago, Milwaukee & St. Paul (including the Western Union), the net earnings of the road for the year ending September 30, 1879, were \$3,516,989. This amount would be 7 per cent. on a capital of \$50,242,700. The entire road (excluding the Davenport & Northwestern railroad, which was not acquired until August 1, and the earnings from which include an operation for only two months), embraced an average mileage for the year of 1,940, of which 838 were in Wisconsin. Apportioning the valuation equally upon mileage would give \$21,702,730 as the proportion for Wisconsin. Or, if we could give the road an arbitrary valuation of \$25,000 per mile, it would amount to \$23,575,000 for Wisconsin. This would show the rate of taxation to be 10.152 mills on the basis of valuation as represented by 7 per cent. earnings, or 9.346 mills on a valuation of \$25,000 per mile.

The Chicago & Northwestern, for the year ending September 30, showed net earnings amounting to \$7,652,064, of which amount \$849,255 was returned as having been earned in Wisconsin. This, on the basis adopted, would represent property to the value of \$12,132,214. The amount of tax assessed is \$126,456.23. The percentage of taxation on valuation of 7 per cent. net earnings, being 10.423 mills, or a rate of 10.036 mills on a valuation of \$25,000 per mile.

The following table shows the valuation of the property of the state, as well as railroad property, on the basis adopted for obtaining it, the total amount of tax paid, and the percentage of taxation :

COUNTIES.	Valuation on basis of consideration expressed in deeds.	Amt. of tax levied.	Amt paid on the dollar.
Walworth.....	\$16,784,482	\$127,990 89	7.626
Green .....	14,507,198	102,091 86	7.030
Columbia.....	13,417,382	144,453 73	10.766
Pierce .....	6,842,538	90,063 57	13.162
Dodge .....	23,262,308	209,219 39	8.994
Milwaukee.....	92,709,947	1,274,246 06	13.744
Rock .....	26,021,284	234,761 41	9.022
The State.....	572,258,007	\$7,969,859 00	13.909
<i>Railroads —</i>			
Chicago, Mil. & St. Paul*...	\$21,702,730	\$220,327 34	10.152
Chicago, Mil. & St. Paul†...	23,575,000	220,327 34	9.346
Chicago & Northwestern*..	12,132,214	126,456 23	10.423
Chicago & Northwestern†.	12,600,000	126,456 23	10.036

It should be kept steadily in mind, however, that the percentage of taxation on the railroads named, is a fixed, arbitrary amount — four per cent. on their gross earnings, be they more or less, and without any regard to the necessities of the government. So, while through a season of general prosperity, the value of the property of the state may be doubled, and the railroads be attended with the same degree of prosperity and their gross earnings doubled, the percentage of taxation on general property would be decreased one half, while taxation on railroads would be doubled.

My conclusions in brief are as follows: On the basis submitted for giving a valuation to railroad property and the general property of the state, railroads are paying a somewhat higher tax than is paid by other property in the southern counties of the state, where economy and good management characterize the administration of affairs. They are paying somewhat less tax than is paid in the northern counties, where a reasonable degree of economy is practiced; and much less than is paid in some of them where economy and good management are not distinguishing features of their local government.

Taking the whole state together, the taxation of railroads is a trifle less than is imposed upon other property, according to the

\* On basis of 7 per cent. net earnings.

† On basis of valuation of \$25,000 per mile.

‡ Amount of total tax levies of 1875.

valuation as ascertained upon the basis given. If the estimate of valuation as made by the Governor be taken as correct, then the railroads named are certainly paying as large a percentage of taxation as the other property.

In making computations I have confined myself to the two principal roads—the Chicago, Milwaukee & St. Paul and the Chicago & Northwestern—partly for the reason that I have not had time to extend the calculations to other roads, and partly for the reason that I have presumed no one desires the same rule of taxation to be applied to the newer and weaker roads that is applied to the older and wealthier roads of the state.

I desire to say, in conclusion, that I have but little confidence in the correctness of the valuation I have given to the different forms of property. It is a subject which will present itself differently to as many minds as have to deal with it, and, as before stated, it can be but a matter of mere opinion at the best. I have stated fully the basis of valuation, and whatever of error there is in it, and error there must be, will present itself to the minds of each member of this committee, and the result can be modified to correspond.

Respectfully submitted,

A. J. TURNER,  
*Commissioner.*

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No. 254, S.,

A bill to amend section 1213 of the revised statutes of 1878, in relation to the taxation of railroad, telegraph, fire, inland navigation and life insurance companies,

Report the same back with the recommendation that it be indefinitely postponed.

H. S. SACKET,  
*Chairman.*

---

The committee on Incorporations, to whom was referred

No. 131, A.,

A bill to authorize the construction of a dam across the south branch of the Embarrass river, in Shawano county,

Have had the same under consideration, report the same back with amendments, and recommend that when so amended it be concurred in.

No. 108, A.,

A bill to amend chapter 260 of the laws of Wisconsin for 1877, entitled an act to revise, consolidate and amend the charter of the city of Stevens Point, approved May 17, 1858, and the several acts amendatory thereof,

With recommendation that it be concurred in.

No. 215, S.,

A bill to authorize M. P. Beebe, his associates and assigns, to erect and maintain a dam across and make other improvements in Price river in Lincoln county,

With recommendation that it do pass.

GEO. GRIMMER,  
*Chairman.*

---

The committee on Charitable and Penal Institutions, to whom was referred

No. 90, S.,

A bill to appropriate to the Industrial School for Boys a certain sum of money for current expenses,

Have had the same under consideration, and instructed me to report the same back with the recommendation that it do pass.

No. 91, S.,

A bill to appropriate to the Institution for the Education of the Deaf and Dumb a sum of money therein named,

No. 115, S.,

A bill to appropriate to the Industrial School for Girls a certain sum of money therein named,

With amendments, and the recommendation that they do pass when so amended.

H. RICHARDSON,  
*Chairman.*

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Nos. 90, 91 and 115, S.,

Were recommitted to committee on Claims.

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On motion of Senator McFetridge,  
The senate adjourned.

WEDNESDAY, FEBRUARY 18, 1880.

10 o'CLOCK A. M.

The senate met.

The president in the chair.

Prayer by Rev. Mr. Irish.

The roll was called, and the following senators answered to their names:

Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Grimmer, Haben, Houghton, Hyde Kelly, McFetridge, McGrew, Morgan, Paul, Price, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Thomas, Van Schaick, Weaver and Woodman.

The journal of yesterday was approved.

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LETTERS, PETITIONS, Etc.

By Senator McGrew:

Pet. No. 52, S.,

Of C. Waggner and 31 others, asking the repeal of so much of the license law as allows the selling of liquors at retail.

To committee on Judiciary.

By Senator McGrew:

Pet. No. 53, S.,

Of Mr. Hill, Chas. James, A. G. James and 18 others, asking the repeal of so much of the license law as allows the selling of liquor at retail.

To committee on Judiciary.

By Senator Paul:

Pet. No. 54, S.,

Of 12 citizens of Milwaukee for biennial sessions.

To committee on State Affairs.

By Senator Scott:

Pet. No. 55, S.,

Of county officers of Taylor county, asking passage of assembly bill No. 100.

To committee on State Affairs.

By Senator Ryland:

Pet. No. 56, S.,

Of seventy citizens of Lancaster, Grant County, against the taxation of church property.

To committee on State Affairs.

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### REPORTS OF COMMITTEES.

The committee on Judiciary, to whom was referred

No. 3, A.,

A bill to repeal sections 1623, 1624 and 1625 of chapter 72 of the revised statutes, entitled of dogs and wild animals,

Have had the same under consideration, and instructed me to report the same back with the recommendation that it be concurred in.

Senator Houghton dissenting.

No. 4, S.,

A bill to permit the boards of supervisors of counties to exempt their respective counties from the provisions of sections 1623, 1624 and 1625 of the revised statutes of 1878, providing for the taxation of dogs,

With amendments, and the recommendation that the bill do pass when so amended.

H. E. HOUGHTON,  
*Chairman.*

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The committee on Enrolled Bills have examined and find correctly enrolled,

No. 36, S.,

A bill to appropriate the sum of five hundred dollars to the Wisconsin State Dairymen's Association.

W. T. PRICE,  
*Chairman pro tem.*

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The joint committee on Claims, to whom was referred

No. 86, S.,

A bill to amend section 169 of the revised statutes, entitled of the state officers, with a proposed amendment thereto,

Have had the same under consideration, and have instructed me to report it back with the recommendation that the bill be indefinitely postponed.

No. 61, S.,

A bill to appropriate to the Institution for the Education of the Deaf and Dumb, the sum of fourteen thousand dollars, to meet the current expenses of the institution up to March 1, 1880,

And have instructed me to report it back with the recommendation that the bill do pass.

W. T. PRICE,  
*Chairman.*

The committee on State Affairs, to whom was referred

No. 109, A.,

A bill to authorize the commissioners of the public lands to loan a portion of the trust funds of the state to the town of Lyndon, in the county of Sheboygan and state of Wisconsin,

No. 53, A.,

A bill to appropriate to Geo. B. McMillan a sum of money therein named, as extra pay for services in the late war,

No. 207, A.,

A bill to authorize the commissioners of the public lands to loan a portion of the trust funds of the state to the town of Arcadia, in the county of Trempealeau,

Have had the same under consideration, and instruct me to report the same back with the recommendation that they be concurred in.

No. 141, S.,

A bill to authorize the commissioners of public lands to loan a portion of the state funds to the town of Lorraine, in the county of Polk,

No. 194, S.,

A bill to authorize the commissioners of public lands to loan a portion of the trust funds of the state to the county of Lincoln,

With the recommendation that they do pass.

No. 130, S.,

A bill to repeal sections 509, 510 and 511 of chapter 27 of the revised statutes, entitled of the purchase and distribution of dictionaries,

With the recommendation that it be indefinitely postponed.

No. 1, A.,

A bill to authorize the commissioners of school and university lands to loan a portion of the trust funds to the county of Portage,

With amendments, and recommend the passage of the same when so amended.

No. 233, S.,

A bill to authorize the commissioners of school and university lands to loan a portion of the trust funds to the town of Lincoln, Trempealeau county,

With amendments, with the recommendation that it do pass when so amended.

GEO. B. BURROWS,  
*Chairman.*

On motion of Senator Houghton,

The rules were suspended, and

No. 207, A.,

Was read a third time and concurred in.

On motion of Senator Kelly,

All rules interfering with the present consideration of

No. 233, S.,

Were suspended, the amendments were adopted, and the bill was read a third time and passed, and the chief clerk was instructed to correct the title to conform with the body of the bill.

## REPORT OF SELECT COMMITTEE.

The select committee of one to whom was referred  
No. 127, A.,

A bill to authorize the electors of the town of Janesville, in  
Rock county, to hold elections in the city of Janesville,

Has had the same under consideration, and has instructed me  
to report the same back with the recommendation that it be con-  
curred in.

H. RICHARDSON,  
*Select Committee.*

On motion of Senator Richardson,  
The rules were suspended, and  
No. 127, A.,

Was read a third time and concurred in.

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The special committee, to whom was referred  
No. 39, S.,

A bill to include the Chicago & Tomah railroad in the provisions  
of chapter 153 of the general laws of 1879, and amendatory of said  
chapter,

Has had the same under consideration, and reports the same back  
with amendments and recommends that the same be printed and  
the amendments adopted, and when so amended the bill do pass.

S. S. FIFIELD,  
*Special Committee.*

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The special committee to whom was referred  
No. 240, S.,

A bill to amend chapter 89, laws of 1877, entitled an act to in-  
corporate the city of Chilton,

Has had the same under consideration, and reports the same  
back with the recommendation that it be printed and referred to  
the committee on Incorporations.

B. F. CARTER,  
*Committee.*

So ordered.

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The special committee to whom was referred  
No. 139, S.,

A bill to amend section 5 of chapter 51 of the general laws of  
1866, entitled an act to authorize the use of money arising from  
the sale of certain swamp and overflowed lands in the counties of  
Manitowoc and Calumet, for drainage and other purposes, and to  
amend chapter 537 of the laws of 1865, relating thereto,

Have had the same under consideration, and report the same  
back with the recommendation that it do pass.

JOS. RANKIN,  
B. F. CARTER,  
*Special Committee.*

The special committee to whom was referred  
No. 209, S.,

A bill to attach the counties of Ashland and Bayfield to the seventh judicial circuit, and fixing the time for holding terms of court in said counties,

Reports the same back with the recommendation that it be referred to the Judiciary committee.

S. S. FIFIELD,  
*Special Committee.*

So ordered.

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### EXECUTIVE COMMUNICATIONS.

STATE OF WISCONSIN,  
*Executive Department,*  
MADISON, *February 18, 1880.*

*To the honorable the legislature:*

I have received from the clerk of Milwaukee county a certified copy of a resolution adopted by the board of supervisors of that county, tendering to the state the Milwaukee County Insane Asylum, and the grounds attached thereto, upon such equitable terms as may be agreed on, and requesting me to communicate such purpose to the legislature.

Complying with this request, I take the occasion to say that the Milwaukee County Asylum is a commodious structure, with ample accommodations for at least two hundred and fifty patients. It was built under most careful supervision at the minimum of expense, but after the most modern plans, and is complete in all its appointments.

In my judgment, the interests of the state would be best subserved by accepting the proposed transfer upon the terms indicated, and I therefore commend the proposition to your most earnest and careful consideration.

WILLIAM E. SMITH,  
*Governor.*

Referred to the committee on Charitable and Penal Institutions,  
and ordered spread on the journal.

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### MESSAGE FROM THE ASSEMBLY.

By J. E. ELDRED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has passed, and asks the concurrence of the senate in,

No. 167, A.,

A bill to amend chapter 166 of the private and local laws of 1854, entitled an act to incorporate the German and English academy in

the city of Milwaukee, and to repeal an act to incorporate the Anglo-German academy in the city of Milwaukee, approved July 3, 1853.

And has concurred in senate amendments to

No. 30, A.,

A bill to repeal sections 6, 7 and 8 of chapter 259, laws of 1878, and chapter 104, laws of 1879, relating to a state road from Wolf river, in Shawano county, to Wausau, in Marathon county.

And has concurred in

No. 25, S.,

A bill to amend chapter 284 of the private and local laws of 1866, entitled an act to incorporate the Eau Claire Lumber Company,

No. 26, S.,

A bill to authorize Jes. Errickson and E. C. Manger to maintain a boom in Kewaunee river, in Kewaunee county,

M. C. No. 3, S.,

Memorial to the postmaster general, for the establishment of a daily mail between the villages of Pewaukee and Sussex, in Waukesha county,

And has reconsidered, amended and passed, and asks the concurrence of the senate in

M. C. No. 1, A.,

Memorial to congress for an appropriation for the proposed harbor at Kewaunee,

And has concurred in

No. 13, S.,

A bill to provide for the purchase of Webster's Unabridged Dictionaries.

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#### ASSEMBLY MESSAGE CONSIDERED.

No. 167, A.,

Was referred to the Milwaukee Delegation.

The assembly amendments to

M. C. No. 1, A.,

Were concurred in.

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#### SENATE RESOLUTIONS CONSIDERED.

On motion of Senator Burrows,

Jt. Res. No. 9, S.,

Resolution amending sections 4, 5, 11 and 21, article 4 of the constitution of the state of Wisconsin,

Was made the special order for Tuesday, the 24th inst., at 8 o'clock P. M.

Res. No. 18, S.,

Relating to railroad freights,

Was laid over until to-morrow.

## BILLS READY FOR A THIRD READING.

No. 125, S.,

A bill relating to offenses against the lives and persons of individuals, and amendatory of section 4389, chapter 181, revised statutes of 1878,

No. 137, S.,

A bill to amend section 2922 of the revised statutes, concerning costs and fees allowed to parties in circuit courts,

No. 158, S.,

A bill authorizing judgments of the supreme court to be docketed in the circuit court,

No. 164, S.,

A bill in relation to costs and fees, and amendatory of section 2927 of the revised statutes of 1878,

No. 170, S.,

A bill to amend section 2918 of chapter 129 of the revised statutes, entitled of costs and fees allowed to parties in circuit courts,

No. 174, S.,

A bill to repeal certain provisions of section 2478 of the revised statutes, relating to juries in county courts,

No. 214, S.,

A bill to legalize the action of the board of supervisors of Lincoln county,

No. 231, S.,

A bill to amend section 2424 of the revised statutes, relating to the time of holding court in Brown county,

Were severally read a third time and passed.

No. 8, S.,

A bill to appropriate a certain sum of money therein named to George W. Perry,

Was read a third time and passed.

The ayes and noes being required, it was decided in the affirmative; ayes, 26; noes, none.

The vote was as follows:

*Ayes* — Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Haben, Houghton, Hyde, Kelly, McGrew, Morgan, Paul, Price, Rankin, Richardson, Ryland, Scott, Smith, Thomas, Van Schaick, Weaver and Woodman — 26.

*Noes* — None.

No. 154, S.,

A bill to appropriate to the Bell Telephone Company of Madison, Wisconsin, a sum of money therein named,

Was read a third time and passed.

The ayes and noes being required, it was decided in the affirmative; ayes, 19; noes, 9.

The vote was as follows:

*Ayes* — Senators Bennett, Blackstone, Burrows, Chipman, Dering, Fifield, Griffin, Haben, Houghton, Hyde, Kelly, McFetridge, Paul, Rankin, Sacket, Scott, Smith, Thomas and Van Schaick — 19.

*Noes* — Senators Anderson, Carter, McGrew, Morgan, Price, Richardson, Ryland, Weaver and Woodman — 9.

No. 199, S.,

A bill to repeal chapter 205 of the laws of Wisconsin of 1879, entitled an act to limit the number of terms to which a person may be eligible to the office of county treasurer,

Was read a third time and passed.

The ayes and noes being demanded, it was decided in the affirmative: ayes, 24; noes, 3.

The vote was as follows:

*Ayes* — Senators Anderson, Blackstone, Burrows, Carter, Chipman, Dering, Griffin, Houghton, Hyde, Kelly, McFetridge, McGrew, Morgan, Price, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Thomas, Van Schaick, Weaver and Woodman — 24.

*Noes* — Senators Bennett, Fifield and Haben — 3.

The amendments to

No. 219, S.,

A bill to amend section 1 of chapter 80 of private and local laws of 1855, entitled an act supplementary to an act to incorporate the Milwaukee Mechanics' Mutual Insurance Company, relating to restrictions in bringing suits,

Were adopted, and the bill was read a third time and passed, and was ordered re-engrossed.

No. 87, S.,

A bill to appropriate to the superintendent of public property a sum of money therein named, to purchase the necessary stationery for the use of the legislature and state officers for the ensuing year.

Senator Price, by unanimous consent, offered the following amendment:

Amend by adding to section one the following: "And for the purchase of maps ordered by joint resolution No. 19, assembly."

Adopted.

The bill was then read a third time and passed.

The ayes and noes being required, it was decided in the affirmative; ayes, 26; noes, 1.

The vote was as follows:

*Ayes* — Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Haben, Houghton, Hyde, McFetridge, McGrew, Morgan, Paul, Price, Rankin, Richardson, Sacket, Scott, Smith, Thomas, Van Schaick, Weaver and Woodman — 26.

*Noes* — Senator Ryland — 1.

No. 261, S.,

A bill to allow a certain sum of money to Simeon Mills, late treasurer of the State Hospital for the Insane,

Was laid aside until to-morrow.

No. 176, S.,

A bill to repeal section 4073 of chapter 176 of the revised statutes, entitled of evidence,

Was recommitted to the Judiciary committee.

No. 40, A.,

A bill to amend the charter of the city of Oshkosh,

No. 73, A.,

A bill to authorize Gustavus Werlick, his associates and assigns, to erect and maintain a dam and boom and to otherwise improve Big Rib river, in Marathon county,

No. 126, A.,

A bill to authorize John H. Douglas, Andrew Tainter, Thomas B. Wilson, Henry L. Stout, Wm. Wilson and John H. Knapp, and their associates, successors and assigns, to erect and maintain a dam across Turtle creek on land owned by the Knapp, Stout & Co. Company,

Were severally read a third time and concurred in.

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#### BILLS ON THEIR THIRD READING.

No. 108, A.,

A bill to amend chapter 260 of the laws of Wisconsin for 1877, entitled an act to revise, consolidate and amend the charter of the city of Stevens Point, approved May 17, 1858, and the several acts amendatory thereof,

Was ordered to a third reading.

The amendments to

No. 131, A.,

A bill to authorize the construction of a dam across the south branch of the Embarrass river in Shawano county,

Were adopted, and the bill was ordered to a third reading.

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#### BILLS ON THEIR ENGROSSMENT AND THIRD READING.

No. 215, S.,

A bill to authorize M. B. Beebe, his associates and assigns, to erect and maintain a dam across and make other improvements in Price river in Lincoln county,

Was ordered engrossed and read a third time.

The amendments to

No. 102, S.,

A bill to amend sections 1546, 1547 and 1786 of chapters 65 and 86 of the revised statutes, relating to industrial schools and commitments thereto,

Were adopted, and the bill was ordered engrossed and read a third time.

No. 251, S.,

A bill to amend section 422 of the revised statutes, relating to the alteration of school districts,

Was laid over until Tuesday.

No. 254, S.,

A bill to amend section 1213 of the revised statutes of 1878, in relation to the taxation of railroad, telegraph, fire, inland navigation and life insurance companies,

Was recommitted to a special committee consisting of Senator Fifield.

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On motion of Senator Bennett,  
The senate adjourned.

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THURSDAY, FEBRUARY 19, 1880.

10 o'CLOCK A. M.

The senate met.

The president in the chair.

Prayer by the Rev. Mr. Irish.

The roll was called, and the following senators answered to their names:

Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, Kelly, McFetridge, Morgan, Paul, Price, Quarles, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Sutherland, Thomas, Van Schaick, Weaver and Woodman.

The journal of yesterday was approved.

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### COMMUNICATION.

STATE OF WISCONSIN,

*Department of State,*

MADISON, *February* 18, 1880.

Hon. JAMES M. BINGHAM,

*President of the Senate:*

SIR: In compliance with the provisions of section 147 of the revised statutes, I have the honor to transmit herewith to the legislature the following claim against the state, requiring legislative action, to wit:

Claim of La Fayette county, \$587.40.

This claim, if allowed, will be chargeable to the general fund.

Very respectfully,

Your obedient servant,

HANS B. WARNER,

*Secretary of State.*

The account was referred to the committee on Claims.

## LETTERS, PETITIONS, Etc.

By Senator Paul:

Pet. No. 57, S.,

Petition of Alex. Mitchell, John Johnston, D. Ferguson, Edw. O'Neil and 21 others against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Paul:

Pet. No. 58, S.,

Petition of H. L. Palmer, Matthew Keenan, Willard Merrill and 18 others, against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Paul:

Pet. No. 59, S.,

Petition of D. W. Keyes, E. A. Curtiss, M. B. Cary, John A. Hinsey and 4 others, against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Paul:

Pet. No. 60, S.,

Petition of John O. Jones, D. R. Breern, David Adler, Recker, Crombie & Co. and 21 others against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Paul:

Pet. No. 61, S.,

Petition of Storn & Hill, C. D. Finch, D. M. Belden, James Mullen and 31 others, against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Paul:

Pet. No. 62, S.,

Petition of Thomas Shea, W. G. Fitch, Abbott Lawrence, H. N. Hempsted and 21 others, against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Houghton:

Pet. No. 63, S.,

Petition of A. W. Newman, J. C. Button and other citizens of Trempeleau county, against the passage of bills No. 253, S., and 241, A., in relation to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator —:

Pet. No. 64, S.,

Petition of J. I. Case, W. T. Bull and others, against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Van Schaick:

Pet. No. 65, S.,

Petition of J. W. Skinner, L. McKnight, D. G. Hooker, Alfred L. Cary and 20 others against the passage of any bill, changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Van Schaick:

Pet. No. 66, S.,

Petition of Kalman Bros. & Breimer, H. Stone, Jr., & Bro., W. C. Chandler, H. S. Mack & Co., and 21 others, against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Van Schaick:

Pet. No. 67, S.,

Petition of L. G. Parker, John P. Doyle, C. D. Howard, F. H. Marsh, and 21 others, against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Van Schaick:

Pet. No. 68, S.,

Petition of Chas. H. Webster, W. D. Briggs, J. G. Patterson, Geo. Burroughs and 21 others against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Van Schaick:

Pet. No. 69, S.,

Petition of C. D. Kendrick, Samuel Howard, E. P. Hackett, L. M. Dixon and 21 others, against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Van Schaick:

Pet. No. 70, S.,

Petition of H. Benson, G. H. Rountree, W. H. Farnham and 15 others, against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Van Schaick:

Pet. No. 71, S.,

Petition of C. H. Norris, G. E. Clinton, F. N. Kallock, M. A. Redfield and 20 others, against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Fifield:

Pet. No. 72, S.,

Petition of A. Bryl, Julen Combacher and 100 citizens of Polk and St. Croix counties, asking for the repeal of the dog law.

To committee on Judiciary.

By Senator Fifield:

Pet. No. 73, S.,

Petition of G. W. Holton and 38 others for the erection of Webster county.

To committee on Town and County Affairs.

By Senator Fifield:

Pet. No. 74, S.,

Petition of H. J. Blanchard and 27 others in favor of the erection of Webster county.

To committee on Town and County Affairs.

By Senator Haben:

Pet. No. 75, S.,

Petition of K. M. Hutchinson and 75 other citizens of the city of Oshkosh against the passage of bills 253, S., and 241, A.

To committee on Finance, Banks and Insurance.

By Senator Haben:

Pet. No. 76, S.,

Petition of S. M. Hay and others, taxpayers of Oshkosh, asking for the passage of bill No. 116, S.

To committee on Judiciary.

By Senator Kellogg:

Pet. No. 77, S.,

Of Geo. F. Dailey and 28 others, in favor of the erection of the county of Webster.

To committee on Town and County Affairs.

By Senator Kellogg:

Pet. No. 78, S.,

Of Wm. Zassenhars and 22 others in favor of the erecting of the county of Webster.

To committee on Town and County Affairs.

By Senator Hyde:

No. 79, S.,

Petition of John P. McGregor, C. Wheeler, W. L. Hinsdale, L. A. Warren and 21 others against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Hyde:

Pet. No. 80, S.,

Petition of W. S. Candee, A. Craven, W. F. Lavis, C. E. Andrews and 20 others, against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Hyde:

Pet. No. 81, S.,

Petition of E. Silverman & Co., L. Newbauer & Sons, Heller Bros. & Co., Straw, Ellsworth & Brand, H. Friend & Bros. and 20 others, against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Hyde:

Pet. No. 82, S.,

Petition of J. W. Edwards, J. K. Van Dorn, Lewis Dremel, E. Dickson and 21 others against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Quarles:

Pet. No. 83, S.,

Petition of Christian Schendland and 20 others against the passage of bill 219, S.

To committee on Judiciary.

By Senator Woodman:

Pet. No. 84, S.,

Petition of F. Goodrich and 99 others against the passage of 253 S. and 241, A.

To committee on Finance, Banks and Insurance.

By Senator Griffin:

Pet. No. 85, S.,

Petition of John H. Knapp and 49 others, residents of Dunn county, Wisconsin, for the passage of bill 244, S., providing for an amendment to the game law.

To committee on State Affairs.

By Senator Griffin:

Pet. No. 86, S.,

Petition of G. H. Miller and 24 other residents of Prescott, Pierce county, Wis., against the passage of bills No. 253, S., and No. 241, A., relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Sutherland:

Pet. No. 87, S.,

Petition of C. J. L. Meyer and 41 others, residents of Fond du Lac county, against the passage of bill No. 253, S.

To committee on Finance, Banks and Insurance.

By Senator Sutherland:

Pet. No. 88, S.,

Petition of G. R. Shaw and 94 other citizens of Ripon for the passage of bill No. 211, S.

To committee on Incorporations.

By Senator Sutherland:

Pet. No. 89, S.,

Petition of E. H. Merrill and 49 other citizens of Ripon, against the taxation of churches, charitable or benevolent institutions.

To committee on State Affairs.

By Senator Sutherland:

Pet. No. 90, S.,

Petition of J. M. Geeny and 16 other citizens of Ripon for the passage of bill No. 211, S.,

To committee on Incorporations.

By Senator Sutherland:

Pet. No. 91, S.,

Petition of J. H. Hauser and 16 other attorneys of Fond du Lac, Wisconsin, for the passage of bill No. 103, S.

To committee on Judiciary.

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### RESOLUTIONS INTRODUCED.

By Senator Scott:

Res. No. 23, S.,

*Resolved*, That the assembly be requested to return No. 73, A., to the senate for further consideration.

Adopted.

By Senator Sacket:

Res. No. 24, S.,

*Resolved*, That the chief clerk be instructed to procure, for the use of the senate, 1,000 copies, in pamphlet form, of the reports of the majority and minority of the committee on State Affairs, on subject of biennial sessions.

Adopted.

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### REPORTS OF COMMITTEES.

The committee on Town and County Affairs, to whom was referred

No. 117, A.,

A bill to amend section 925 of chapter 40 of the revised statutes of 1878, entitled of towns, cities and villages,

Have had the same under consideration, and have instructed me to report the same back with recommendation that it be concurred in.

CHAS. L. DERING,  
*Chairman.*

The committee on Education, to whom was referred  
No. 129, S.,

A bill to amend chapter 22 of the revised statutes of 1878, entitled of the distribution of public documents,

Have had the same under consideration, and have instructed me to report the same back with amendment, and recommend its passage when so amended.

EDWIN E. WOODMAN,  
*Chairman.*

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The committee on Federal Relations, to whom was referred  
Jt. Res. No. 11, S.,

Requesting senators and members of congress from Wisconsin to support such legislation as will place inter-state commerce under the control of a board of commissioners,

Have had the same under consideration, and instructed me to report the same back with amendment and recommend its adoption when so amended.

M. GRIFFIN,  
*Chairman.*

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The joint committee on Claims, to whom was referred  
No. 90, S.,

A bill to appropriate to the Industrial School for Boys a certain sum of money for current expenses,

Have had the same under consideration, and have instructed me to report the bill back with the recommendation that it do pass.

No. 218, S.,

A bill relating to the board of state canvassers, and amendatory of section 58 of chapter 5 of the revised statutes of 1878,

And have instructed me to report the bill back with amendments, and recommend its passage when so amended.

W. T. PRICE,  
*Chairman.*

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The committee on Roads and Bridges, to whom was referred  
No. 133, S.,

A bill to authorize W. F. Bailey, Geo. W. Mason, R. J. Kepler and A. S. Dodge, and their associates and assigns, to build and maintain a bridge over and across the Chippewa river,

Have had the same under consideration, and have instructed me to report the same back with the recommendation that it do pass.

No. 26, A.,

A bill to amend chapter 52 of the revised statutes of 1878, entitled of "highways and bridges,"

And have instructed me to report the same back with the recommendation that it be indefinitely postponed.

J. B. BENNETT,  
*Chairman.*

The committee on Judiciary to whom was referred

No. 55, S.,

A bill to amend the articles of association of the Chicago, Milwaukee & St. Paul Railway Company,

No. 226, S.,

A bill relating to fees and costs, and to amend the revised statutes of 1878,

Have had the same under consideration, and instruct me to report the same back with the recommendation that they do pass.

No. 101, S.,

A bill relating to village charters, and amendatory of sections 910 and 875 of chapter 40 of the revised statutes of 1878,

With the recommendation that it be indefinitely postponed.

No. 117, S.,

A bill to amend section 20 of chapter 5 of the revised statutes of 1878, entitled of electors and general elections,

With amendments, and recommend its passage when so amended.

No. 224, S.,

A bill relating to the payment and collection of taxes by county treasurers, and amendatory of section 1121 of the revised statutes,

Be recommitted to committee on State Affairs.

No. 225, S.,

A bill in relation to fences, and to amend section 1391 of the revised statutes of 1878,

With the recommendation that it be recommitted to the committee on Agriculture.

H. E. HOUGHTON,  
*Chairman.*

So ordered as to 224, S., and 225, S.

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The committee on Enrolled Bills have examined and find correctly enrolled:

No. 25, S.,

A bill to amend chapter 284 of the private and local laws of 1866, entitled an act to incorporate the Eau Claire Lumber Company,

No. 13, S.,

A bill to provide for the purchase of Webster's Unabridged Dictionaries,

No. 26, S.,

A bill to authorize Jes. Ericksen and E. C. Manger to maintain a boom in Kewaunee river, in Kewaunee county.

M. C. No. 3, S.,

To postmaster general, for the establishment of a daily mail between the villages of Pewaukee and Sussex, in Waukesha county.

GEO. E. SUTHERLAND,  
*Chairman.*

The undersigned, a minority of the committee on State Affairs to whom was referred Jt. Res. No. 9, S.

Resolution amending sections 4, 5, 11 and 21, article 4, of the constitution of the state of Wisconsin,

Respectfully reports that said joint resolution has been considered by the committee, who are unable to agree in their views. The undersigned is in favor of and recommends the adoption of said resolution for the following reasons, among others:

Its adoption and ratification by the people will in all probability reduce the amount of legislation one-fourth to one-half of what has heretofore been indulged in.

An excess of law-making has been the misfortune of this state from its organization, and at least one-half of it, if not a far greater proportion, is attributable to the annual opportunity which has been thus far afforded by annual sessions. It is idle to assert that the opportunity does not furnish the temptation for multiplicity of legislation. No one who has ever held a seat in a legislative body can fail to know that the great majority of acts which are annually passed are simply in the interest of some one individual, or of some corporation, or of some disappointed attorney or afflicted client, as a way out of, or by way of relief from, some uncomfortable dilemma or suppositious burden, which, for the time being, they can see no so easy way to escape as by statutory enactment.

It is not an easy matter for a member to refuse an active constituent his support of a "little bill," which is to put money or power or place within the constituent's reach and control. It is rare, indeed, that a member has not from one to a dozen such constituents.

The principle usually controlling (in all minor matters of legislation at least): "You vote for my bill, and I will help pass yours," effectually secures the passage of by far too large a number of such acts at each meeting of every legislative body — acts which perhaps in themselves are well enough, but just as well not passed.

There is no use of speculation as to why it is so, or why it cannot be otherwise; so it is, so it has been for over thirty years, and so it will continue to be until human nature changes, or until the opportunity is removed.

Few, if, any will controvert the proposition that such excessive legislation, such frequent change of laws, is the great, the principal cause of litigation and strife among the people, and the overcrowded dockets of all our courts. For instance, hardly a winter has passed in thirty years in which the laws upon the subject of taxation, or in relation to tax titles, have not been in some way materially altered, so that there can hardly be said to be any rule by which to judge of the working of any law upon those subjects. No sooner have the courts decided upon the validity or invalidity of

a given tax law, than some active minded individual or individuals have been able to secure a repeal or change of it to suit their individual cases or preferences; and so it is a fact that you must judge of the validity of nearly every year's tax sales by itself — hardly any two years governed by the same law.

This certainly need not have been. Our tax laws in their main features are to-day the same as they were in the year 1850 — certainly no more effectual for the production of revenue, probably none the less so — no more offensive, no less burdensome — and had the same remained unchanged, the assertion is ventured that not one-twentieth part of the litigation, costs, expenses and accumulated void tax certificates would have afflicted the people of this state. Time will not permit to go over, in review, other fruitful subjects of legislation — this one is sufficient for an example.

The only remedy which has proved effectual in other states, is the removal of the opportunity.

Human nature is largely the same in all civilized countries — that is, educated human nature. What has been the result in an adjoining state may fairly be cited as a probable result here. Our elder sister, Iowa, became a state in 1846. We adopted our constitution in 1848, and have within our borders 53,924 square miles, with a population in 1870 of 105,567.

Iowa has a greater extent of territory, that is 55,045 square miles, and in 1870 had a population in excess of ours by over 100,000 — that is to say, 1,182,933.

In 1873, Iowa had 3,637 miles of railroad, while we have now, as shown by the recent report of our railroad commissioner, only 2,896 miles.

Our state has been afflicted since 1860 with 9,045 new laws, enacted by twenty-one sessions of the legislature, while Iowa has been able to exist and prosper with but 1,659 new acts enacted by only thirteen sessions of her legislature.

The following exhibits show the number of acts, passed in each year by each state :

	IOWA.	No.	
Extra session .....1861	General and special.....	24....	During war
General session.....1862	“ “ .....	176....	“ “
Extra session .....1862	“ “ .....	89....	“ “
General session .....1864	“ “ ... .	134....	
“ “ ....1866	“ “ .....	143....	
“ “ ....1868	“ “ .....	196....	
“ “ ....1870	“ “ .....	192....	
“ “ ....1872	General .....	137....	
“ “ ....1872	Private.....	107...	
“ “ ....1874	General .....	71....	
“ “ ....1874	Private.....	82....	
“ “ ....1876	General and special.....	168....	
“ “ ....1878	“ “ .....	190....	
Total.....		<u>1,659</u>	

WISCONSIN.			
	General.	Special.	
1861.....	309.....	78	
Extra sessions .....	18		
	<u>322</u>		
	78		
Total.....	400	....	400
1862.....	203.....	110	
Extra sessions .....	17		
	<u>220</u>		
	110		
Total.....	330	....	330
1863.....	368.....	15	
	15		
Total.....	383	....	383
1864.....	483.....	26	
	26		
Total.....	509	....	509
1865.....	539.....	26	
	26		
Total.....	565	....	565
1866.....	146.....	587	
	587		
Total.....	733	....	733
1867.....	181.....	609	
	609		
Total.....	790	....	790
1868.....	178.....	514	
	514		
Total.....	692	....	692
1869.....	188.....	469	
	469		
Total.....	657	....	657
1870.....	147.....	519	
	519		
Total.....	666	....	666
1871.....	169.....	502	
	502		
Total.....	671	....	671

1872.....	188.....	141	
	141		
Total.....	329	....	829
1873, General and special.....			808
1874, " ".....			849
1875, " ".....			844
1876, " ".....			415
1877, " ".....			801
1878, " ".....			847
1879, " ".....			256
Grand total.....			9,045

As will be noticed by an examination of the foregoing exhibit, our legislature was reduced fully one-half by lessening the opportunity in 1871.

By the change of our constitution then adopted, the enacting of special and private laws for various purposes was prohibited. The opportunity to that extent was simply taken away, and the result has been most gratifying. Yet our annual enactments double those of Iowa, put forth only once in two years.

The fact is, legislation, like almost every other *industry*, thrives and increases with exercise; more, it amounts to a sort of mania. Every school boy is taught that he *may become*, if he will, a legislator. It is his early and his late ambition, and the only way, seemingly, in a degree to prevent it, is to make more infrequent the opportunity for legislation.

The burden of taxation upon the people is becoming something fearful. Thinking men are looking in various directions for relief. In 1874 we amended, again, the constitution, this time *more directly* looking to the limiting of our public debt and consequent taxation. The fact is, our whole state is (with here and there solitary exceptions) grievously taxed; a large number of our towns, cities and counties have repudiated, and are now repudiating, their corporate debts, simply from inability to pay. Yet with the recurrence of our every annual legislature, it is beset with applications to permit new and other unindebted localities to burden themselves in the same way, with the same class of debts, only to be afterwards also in like manner repudiated. A removal of one-half the *opportunity* will certainly lessen this liability to go in debt, and give time for sober reflection, and an honest, earnest effort at development without borrowing.

To determine the comparative economy of the two systems, annual or biennial, the undersigned presents a few comparisons; and, first, the majority of the committee calls your attention to the fact, as stated by them, that the state tax for 1879 was only \$455,871. This statement, as a basis for comparison, is valueless, from the fact that the state tax direct is but a fraction of the general fund which is necessary to pay the ordinary expenses

of the state. By the late report of the secretary of state, which lies on our desks, we find that the general fund of the state, which embraces the revenues of the state applicable to the payment of the ordinary expenses of the state government, was, for the fiscal year 1879, \$1,249,338.02, or \$783,467 more than the amount of the state tax proper, so called, for the same year. If this entire amount was levied as a direct state tax, it would make the rate of taxation in this state 2.82 mills instead of 1 03 mills, as reported by a majority of the committee.

Again, it should be noted that in comparing the legislative expenses and length of session of this state with that of Illinois, that perhaps the fact that the members of the legislature of that state receive a per diem of five dollars per day, very materially lengthens the duration of the session.

That the comparison of this state with Ohio in this connection is valueless, as the legislature of Ohio meets annually, as stated by the majority of your committee.

It also appears by the report of the majority that the legislative expenses of Michigan for the biennial session for 1875 and 1876, was \$106,000; that the legislative expenses of this state for the same years, 1875 and 1876, was \$183,000, a comparative saving for the state of Michigan of \$77,000 for one session.

The undersigned also calls your attention to the comparison between Wisconsin, with its annual sessions, and Iowa, with its biennial sessions, a comparison which escaped the attention of the majority of the committee.

#### LEGISLATIVE EXPENSES.

In Wisconsin, the legislative expenses for eight years past are as follows :

1872, cost.....	\$112,326 80
1873, " .....	103,730 22
1874, " .....	88,010 51
1875, " .....	86,645 50
1876, " .....	95,835 43
1877, " .....	90,579 01
1878, " .....	107,605 45
1879, " .....	84,301 61
Total for eight years .....	<u>\$769,034 53</u>

#### IOWA.

In Iowa it was as follows :

14th session, for years 1872 and 1873 .....	\$138,869 21
14th session, adjourned, 1873.....	44,543 12
15th session, for years 1874 and 1875 .....	119,853 79
16th session, for years 1876 and 1877 .....	108,742 39
17th session, for years 1878 and 1879 .....	121,947 40
Total for eight years .....	<u>\$530,955 91</u>

A comparative saving of \$239,078.62 in favor of Iowa with its four biennial sessions, as compared with Wisconsin with its eight annual sessions.

Not only in point of money, but in time, comparison shows more favorably to Iowa with its biennial sessions than our own state, as will appear by the following table:

LENGTH OF SESSIONS.

	<i>Wisconsin.</i>	<i>Iowa.</i>
1872.....	77 days.	107
1873 (an adjourned session in Iowa) ...	72	87
	— 149	— 144
1874.....	58	68
1875.....	52	..
	— 110	— 68
1876 .....	61	67
1877 .....	57	..
	— 118	— 67
1878.....	76	72
1879.....	57	..
	— 183	— 72
Total... ..	510	351

A comparative saving of time of 159 days, in favor of biennial sessions for eight years, or four sessions. The saving of this item of public expense and of time, would certainly be a good beginning in the way of retrenchment, although by no means of so great importance as the cutting off of this great mass of useless and more than useless legislation.

The minority of your committee confidently asserts that in no respect is Wisconsin better governed or more prosperous than Iowa. And that the results there shown, will just as certainly obtain here, so far as legislation is concerned, as that the proposed change is made and adopted. and that the people will adopt it if opportunity is given, is hardly open to question. Very little opposition as yet except from one locality, has been disclosed, while petitions and memorials from various quarters of the state numerous and respectably signed, add to the already strongly formed conviction of the undersigned, that the proposed change is one demanded and needed by the people.

That the people of the states which have had experience, and which now have biennial sessions, are content with the same, and have no desire to return to annual sessions, is conclusively shown by the following letters from the executives of the several adjacent states, and published in an enterprising paper of a neighboring city.

Governor Pillsbury, of the state of Minnesota, writes as follows under date of January 5, 1880:

STATE OF MINNESOTA,  
*Executive Department,*  
 ST. PAUL, *January 5, 1880.*

*Mr. N. Smith, Janesville, Wis.:*

DEAR SIR: I am in receipt of your favor of the 1st inst., wishing for information regarding the policy of holding biennial in place of annual sessions of the legislature of our state. In reply to your first interrogatory, I would say that I consider biennial sessions of the legislature in every respect much better adapted to the needs of the people than annual sessions.

To your second question, my answer is *yes*, emphatically. The saving to our state this year in money will amount to more than one hundred and thirty thousand dollars, to say nothing of the indirect saving in special legislation and in unnecessary amendments to untried general laws.

To your third question, I answer that I cannot learn of the least desire on the part of the people of this state to return to annual sessions. On the contrary, I believe that were such a proposition submitted to the people, it would be overwhelmingly defeated. There are many other reasons in favor of biennial sessions.

Very respectfully,  
 J. S. PILLSBURY,  
*Governor.*

It has been said by the opponents of biennial sessions that the system in Illinois was a farce, and cost the state more than annual sessions would. Against these statements we place Governor Cullom's letter:

STATE OF ILLINOIS,  
*Executive Department,*  
 SPRINGFIELD, *January 3, 1873.*

*N. Smith, Esq., Janesville, Wis.:*

DEAR SIR: In answer to your favor of the 1st inst., I can say —

1. I believe that biennial sessions of the state legislature fully answer the needs of the people in this state.

2. They are more economical than annual sessions.

3. There is no desire or purpose to adopt annual sessions in this state. Such a measure would encounter universal opposition.

Respectfully,  
 S. M. CULLOM,  
*Governor.*

From Iowa, there comes this enthusiastic letter from Governor Gear, whose long residence in that state entitles him to be heard:

STATE OF IOWA,  
*Executive Department,*  
DES MOINES, *January 2, 1880.*

*Editor of the Gazette, Janesville, Wis. :*

SIR: Yours of the 1st instant is at hand, and in accordance with your request, please find below reply to your questions.

In the territorial days of Iowa, she had annual sessions of the General Assembly. At the time of her admission she put a clause in her organic law, making the sessions of her General Assembly biennial.

In answer to your first question, as to whether I consider "biennial sessions adapted to the wants of our people," I reply that from my observation and legislative experience, I think them decidedly so.

2d. Do I consider "biennial sessions more economical?" They are, in my opinion, more economical, beyond a question.

3d. "Has there been any general desire on the part of the people to adopt annual sessions?" I have never heard the question discussed or alluded to during my residence in the state, which has been for forty years, and I think if the question of annual sessions was submitted to our people, that it would not receive an affirmative vote of five per cent.

Yours truly,

JOHN H. GEAR.

Michigan has been quoted as being dissatisfied with biennial sessions, and on this point we offer the following letter from Governor Croswell:

STATE OF MICHIGAN,  
*Executive Office,*  
ADRIAN, *January 5, 1880.*

*N. Smith Esq., Editor Gazette, Janesville, Wis :*

MY DEAR SIR: I have just received your favor of the 1st instant, in which you ask me the following questions:

First. "Do you consider biennial sessions of the legislature in your state best adapted to the needs of the people?"

I answer, I do. There is less instability of laws under this system. When we had annual sessions the people had hardly time to become acquainted with enactments of the legislature before they were changed or repealed. If there is great need of important legislation, the governor, in the two years interim between the regular sessions, has power to convene the legislature for the consideration of such necessary measures.

Second. "Do you regard biennial sessions more economical than annual sessions?"

Yes, they have proved so in this state. The saving in expense has been large and the state government apparently as well conducted as it could have been with annual sessions.

Third. "Is there any desire among the people, or those best informed on state affairs, to adopt annual sessions?"

I think not. The question of a return to annual sessions was submitted to the people of the state, April 6, 1868, and voted down by a majority of 75,832.

Yours very truly,

CHARLES M. CROSWELL,  
Governor.

Governor Phelps, of Missouri, joins in the chorus for biennial sessions:

STATE OF MISSOURI,  
*Executive Department,*

CITY OF JEFFERSON, *January 5, 1880.*

*N. Smith, Esq., Editor Gazette, Janesville:*

SIR: I make brief reply to inquiries in your letter of the 1st inst.

1st. The constitution of this state, of 1820, provided for biennial sessions of the legislature, and until 1852, we seldom had an adjourned or called session. From '52 to '74 the legislature was in session nearly every year by reason of adjourned sessions or sessions called by the governor. Biennial, instead of annual, sessions, in my opinion, are best suited to the wants of our people. Since 1874 we have had only biennial sessions of the legislature.

2d and 3d. Biennial, instead of annual, sessions are the most economical. There is no general desire of the people to adopt annual sessions.

Yours respectfully,

JOHN S. PHELPS,  
Governor.

The governor of Indiana, who is known all over the country as Blue Jeans Williams, has put himself on record as a champion for biennial sessions. His letter is as follows:

THE STATE OF INDIANA,  
*Governor's Office,*

INDIANAPOLIS, *January 12, 1880.*

*To N. Smith, Editor of the Gazette, Janesville, Wis.:*

SIR: In reply to your letter of the 1st, I have the honor to say that my views upon the questions asked were requested by a correspondent of the Boston Herald, and substantially published in that paper last October. The enclosed extract is from the Indianapolis Journal of October 16, 1879, and is reasonably accurate.

Respectfully,

JAMES D. WILLIAMS.

The interview referred to by Governor Williams, and which he kindly enclosed in the letter, is as follows:

"I am quite strongly of opinion that it is to the advantage of the people not to have the legislature meet more than once in two years. You ask me why I adopt that view. I will tell you. It prevents changes in the law being made before legislation has had a fair trial. It insures that the state shall have, at least, eighteen months without possible change in the law. For six months after the legislature has been in session everything is in confusion. A great many acts are passed with what we call an emergency clause, by virtue of which they come into effect immediately they are signed, and long before they have been officially printed. Those which have not this emergency clause are not operative until the laws have been printed and circulated in the various counties. But all this time lawyers and the general public are constantly in doubt as to what changes have been made.

"If the legislature met every year, this would be still worse, but as it is, we get at least eighteen months of rest between the sessions, which give an opportunity of testing the advantages of the laws passed. I am quite certain that all necessary legislation can be got through in a sixty-day session once every two years, provided the members attend strictly to business. The legislature of this state has had biennial sessions since the adoption of the present constitution in 1852. Previous to that time it met annually. I consider the present plan far the best, and it is certainly the cheapest, while I do not see how the public interests can suffer by it in any way whatever. My opinion is based upon legislative experience of nineteen years—twelve years in the senate and seven in the lower house. I was first elected a member of the assembly in 1843."

A respectable Sunday paper, published in our metropolitan city, while strangely opposing biennial sessions, unwittingly (or otherwise) gives the proposed change the benefit of a short statement fully in accord with the main idea in this report. It charges "that the tendency of modern legislation is to pull down rather than to build up—to raid upon rather than to foster—to change rather than to make firm and stable the institutions and industries of our people." If such a charge can with truthfulness be preferred, it is a strong argument in favor of diminishing the opportunities for such legislation. The whole system of legislation for the benefit of the few as against the interest of the whole, originates and exists in the activity, the push and the perseverance of individuals. The public is slow, passive, good natured; but when fairly aroused, there is little use in attempting to stay the forward march in the way of reform.

The more effectually to guard against pernicious legislation, to lighten the burden of taxation, and to help forward at least one reform, the minority of your committee recommends the adoption of this joint resolution.

All which is respectfully submitted.

*February 19, 1880.*

E. C. McFETRIDGE.

On motion of Senator Hyde, the vote by which Jt. Res. No. 9, S., was made the special order for Tuesday evening, the 24th inst., was reconsidered, and the resolution was made the special order for Thursday evening, the 26th inst., at eight o'clock.

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### REPORTS OF SELECT COMMITTEES.

The select committee consisting of the senators from Milwaukee county, to whom was referred

No. 126, S.,

A bill to provide for laying out and establishing a road from Milwaukee to Port Washington,

Have had the same under consideration, and report the same back with amendment, and recommend its passage when so amended.

GEO. H. PAUL,  
I. W. VAN SCHAICK,  
EDWIN HYDE.  
*Committee.*

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The select committee consisting of senators from Milwaukee county, to whom was referred

No. 156, S.,

A bill to provide for the erection of a county hospital for the county of Milwaukee,

Have had the same under consideration, and respectfully report the same back with the recommendation that it be indefinitely postponed.

I. W. VAN SCHAICK,  
GEO. H. PAUL,  
EDWIN HYDE,  
*Committee.*

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The special committee, to whom was referred

No. 190, S.,

A bill to authorize Oscar F. Knapp to keep and maintain a ferry across the St. Croix river between the town of Osceola Mills, Wisconsin, and Minnesota,

Has had the same under consideration, and report the same back and recommends that it be referred to committee on Incorporations.

S. S. FIFIELD,  
*Committee.*

So ordered.

The select committee to whom was referred  
No. 255, S.,

A bill to construct a dam across the Chippewa river above Paint creek and below Little Falls dam on said river,

Has had the same under consideration, and begs leave to report the same back with the recommendation that the same be printed and referred to the committee on Incorporations.

M. GRIFFIN,  
*Committee.*

So ordered.

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The select committee consisting of senators from Milwaukee county, to whom was referred

No. 58, S.,

A bill relative to assessments for water pipes in the city of Milwaukee, and amendatory of sections 15, 16 and 17, of chapter 10 of chapter 184 of the laws of 1874,

Have had the same under consideration, and respectfully report the same back with the recommendation that it do pass.

GEO. H. PAUL,  
I. W. VAN SCHAICK,  
EDWIN HYDE,  
*Committee.*

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The select committee consisting of the senators of Milwaukee county, to whom was referred

No. 46, S.,

A bill relating to the payment of fees upon settlement of estates of deceased persons in the county of Milwaukee, and amendatory of section 2483 of the revised statutes of 1878,

Have had the same under consideration, and report the same back with the recommendation that it do pass.

EDWIN HYDE,  
I. W. VAN SCHAICK,  
GEO. H. PAUL,  
*Committee.*

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### MESSAGE FROM THE ASSEMBLY.

By J. E. ELDRED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has passed, and asks the concurrence of the senate in,

No. 84, A.,

A bill in relation to fees of sheriffs, and amendatory of subdivisions 7 and 33 of section 731 of the revised statutes,

18—S. J.

No. 97, A.,

A bill to create a municipal court for the county of Barron,

No. 135, A.,

A bill to amend subdivision 2, section 339, chapter 20, of the revised statutes of 1878, entitled of public printing,

No. 101, A.,

A bill in relation to a ferry across the Mississippi river, and amendatory of chapter 216 of the private and local laws of 1871, entitled an act to authorize Henry Gardner and Albert H. Wareham to keep and maintain a ferry across the Mississippi river at a point where the line of Crawford and Vernon counties strikes said river,

No. 139, A.,

A bill to amend section 2525 of chapter 116 of the revised statutes, entitled of jurors,

No. 152, A.,

A bill to authorize the county of Outagamie to borrow money,

No. 154, A.,

A bill to legalize the acts of the supervisors of Monroe county in paying bounties for the destruction of foxes,

No. 189, A.,

A bill authorizing the city of Racine to pay an increased salary to the harbor master and bridge tenders of said city,

No. 234, A.,

A bill to authorize the removal of the bodies buried in a certain plat of ground in the town of Mackford, and county of Green Lake, formerly used as a cemetery,

No. 258, A.,

A bill to authorize Atley Peterson and Peter Hooverson, their associates and assigns, to construct and maintain a dam across the Kickapoo river, on lands owned by them,

No. 292, A.,

A bill to amend chapter 179 of the laws of 1879, entitled an act relating to the charter of the city of Portage, and amendatory of chapter 122 of the laws of 1876,

No. 299, A.,

A bill to provide for the giving of an official bond by town assessors, and to amend section 851 of the revised statutes,

No. 332, A.,

A bill to amend section 14 of chapter 104 of the private and local laws of 1870, entitled an act to authorize the city of Oconto to extend and maintain a pier into the waters of Green Bay,

No. 345, A.,

A bill relating to attachments, and amendatory of section 2731 of the revised statutes,

No. 360, A.,

A bill to authorize Guss A. Dreutzer to build a pier into the waters of Green Bay,

No. 361, A.,

A bill relating to the compensation of county judges in certain cases,

No. 186, A.,

A bill to amend an act entitled an act to revise, consolidate and amend the charter of the city of Racine, approved August 8, 1848, and the several acts amendatory thereof, approved March 11, 1876, and the several acts amendatory thereof,

And has concurred with the senate in

No. 31, S.,

A bill to provide compensation for completing the transcribing of the senate and assembly journals.

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### ASSEMBLY MESSAGE CONSIDERED.

Nos. 97, 125, 139, 154, 299, 345, 361, A., were referred to the Judiciary committee.

Nos. 84, 292, 186, A., were referred to the committee on Town and County Affairs.

No. 101, A., was referred to the committee on Roads and Bridges.

Nos. 152, 234, A., were referred to the committee on State Affairs.

Nos. 189, 258, 332, 360, A., were referred to the committee on Incorporations.

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### MESSAGE FROM THE ASSEMBLY.

By J. E. ELDRED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly asks for the return of

No. 299, S.,

A bill to provide for the giving of an official bond by town officers, and to amend section 851 of the revised statutes,

For the purpose of reconsideration.

So ordered.

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### SENATE RESOLUTIONS CONSIDERED.

Res. No. 18, S.,

Relating to railroad freights.

The question being on the recommendation of the committee to lie on the table,

The ayes and noes being demanded, it was decided in the affirmative; ayes, 16; noes, 15.

The vote was as follows:

*Ayes* — Senators Bennett, Blackstone, Burrows, Fifield, Griffin, Haben, Kellogg, Paul, Quarles, Rankin, Sacket, Scott, Smith, Van Schaick, Weaver and Woodman — 16.

*Noes* — Senators Anderson, Carter, Chipman, Dering, Grimmer, Houghton, Hyde, Kelly, McFetridge, Morgan, Price, Richardson, Ryland, Sutherland and Thomas — 15.

By unanimous consent, Senator Rankin offered the following resolution:

By Senator Rankin:

Jt. Res. No. 15, S.,

*Resolved by the senate, the assembly concurring,* That senators in congress from this state are hereby instructed, and the members of the house of representatives are requested to vote for the prompt passage of the pending bill in congress to abolish or reduce the duty on imported printing paper, and the clerk of the senate is hereby instructed to forward a copy of this resolution to our senators and members of congress.

Adopted.

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### BILLS READY FOR A THIRD READING.

No. 261, S.,

A bill to allow a certain sum of money to Simeon Mills, late treasurer of the State Hospital for the Insane,

The question being on the passage of the bill,

The ayes and noes were demanded; it was decided in the negative; ayes 12; noes 19; not voting 2.

The vote was as follows:

*Ayes* — Senators Anderson, Bennett, Blackstone, Burrows, Fifield, Kellogg, Kelly, Paul, Rankin, Sacket, Sutherland and Van Schaick — 12.

*Noes* — Senators Carter, Chipman, Dering, Griffin, Grimmer, Haben, Houghton, Hyde, McFetridge, Morgan, Price, Quarles, Richardson, Ryland, Scott, Smith, Thomas, Weaver and Woodman — 19.

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On motion of Senator Burrows,

The senate took a recess until 7 o'clock this evening.

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THURSDAY, FEBRUARY 19, 1880.

7 o'clock P. M.

The senate met.

The president in the chair.

The roll was called, and the following senators answered to their names:

Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, Kelly, McFetridge, Morgan, Price, Quarles, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Sutherland, Thomas, Van Schaick, Weaver and Woodman.

## LEAVE OF ABSENCE

Indefinite leave of absence was granted to Senator McGrew.

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## REPORTS OF COMMITTEES.

The committee on Town and County Affairs, to whom was referred

No. 186, A.,

A bill to amend an act entitled an act to revise, consolidate and amend the charter of the city of Racine, approved August 8, 1848, and the several acts amendatory thereof, approved March 11, 1876, and the several acts amendatory thereof,

Have had the same under consideration, and have instructed me to report it back with the recommendation that it be concurred in.

CHAS. L. DERING,

*Chairman.*

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The committee on Enrolled Bills have examined and find correctly enrolled,

No. 31, S.,

A bill to provide compensation for completing the transcribing of the senate and assembly journals.

W. T. PRICE,

*Chairman pro tem.*

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The joint committee on Printing, to whom was referred

No. 186, S.,

A bill in relation to the State Historical Society, and appropriating a sum of money,

Have had the same under consideration, and respectfully report the same back, with the recommendation that it do pass.

S. S. FIFIELD,

*Chairman.*

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The committee on Charitable and Penal Institutions, to whom was referred

That portion of the governor's message relating to the Charitable and Penal Institutions of the state,

Have had the same under consideration, and have instructed me to report in part by bill.

H. RICHARDSON,

*Chairman.*

## BILLS INTRODUCED.

By the committee on Charitable and Penal Institutions:

No. 262, S.,

A bill to regulate the disbursement of public money in certain cases, and prescribe penalties for misappropriation thereof.

To general file.

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The committee on Engrossed Bills have examined, and find correctly engrossed:

No. 102, S.,

A bill to amend sections 1546, 1547 and 1786 of chapters 65 and 86 of the revised statutes, relating to industrial schools and commitments thereto,

No. 215, S.,

A bill to authorize M. P. Beebe, his associates and assigns, to erect and maintain dams across and make other improvements in Pine river, in Lincoln county.

GEO. W. RYLAND,  
*Chairman.*

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The committee on Incorporations, to whom was referred

No. 134, S.,

A bill to amend chapter 231 of the laws of 1876, entitled an act to amend and re-enact, as amended, chapter 333 of the laws of 1875, entitled an act to amend chapter 16 of the private and local laws of 1872, entitled an act to incorporate the city of Eau Claire so as to authorize the construction of water works by and for said city,

No. 136, S.,

A bill to authorize D. P. Simons, his associates and assigns, to construct and maintain a dam across and otherwise improve Butternut creek in Pierce county, Wisconsin,

No. 178, S.,

A bill to authorize Delos R. Moon, his associates or assigns, to improve Wolf river, a tributary of the north fork of the Eau Claire river, in the counties of Clark, Chippewa and Eau Claire,

No. 179, S.,

A bill to authorize Delos R. Moon, his associates or assigns, to improve Muskrat river, a tributary of the Eau Claire river, in the county of Eau Claire,

No. 180, S.,

A bill to authorize Delos R. Moon, his associates or assigns, to improve Otter creek, a tributary of Wolf river, in the counties of Clark and Chippewa,

No. 196, S.,

A bill to improve Hay creek, a branch of the Eau Claire river, in the county of Clark, for driving logs out of said creek,

Have had the same under consideration and respectfully report them back with the recommendation that they do pass.

No. 140, S.,

A bill to authorize S. S. Vaughn to build and maintain a dam across Long lake, branch of White river, Bayfield county, Wisconsin,

No. 142, S.,

A bill to authorize Alex. Welcome to build and maintain a dam across Long lake, branch of White river, in Bayfield county, Wisconsin,

No. 143, S.,

A bill to authorize S. S. Fifield to build and maintain a dam across White river, in Bayfield county, Wisconsin,

With the recommendation that they be indefinitely postponed.

GEO. GRIMMER,  
*Chairman.*

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The committee on Charitable and Penal Institutions, to whom was referred

No. 234, S.,

A bill to appropriate a sum of money therein named for the purchase of a building or buildings located in the county of Brown, to be used as an institution for the education of the deaf and dumb, and for the fitting up of such building or buildings, and for the maintenance of such institution until March 1, 1881,

Have had the same under consideration, and instructed me to report that they have had the same under consideration in connection with several other bills, providing for the care of the deaf and dumb, and as they have reported in favor of the passage of No. 88, S., a bill which provides for the erection of buildings at Delavan, calculated to furnish ample accommodations for 250 pupils, and as there has never been, and for some time to come probably will not be, a necessity for accommodations for a greater number, they deem the passage of this bill unnecessary, and therefore recommend that it be indefinitely postponed.

H. RICHARDSON,  
*Chairman.*

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### MESSAGE FROM THE ASSEMBLY.

By J. E. ELDBRED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly returns as requested,

No. 73, A.,

A bill to authorize Gustavus Werlich, his associates and assigns, to erect and maintain a dam and boom and otherwise improve Big Rib river in Marathon county.

**ASSEMBLY MESSAGE CONSIDERED.**

On motion of Senator Scott, the motion by which  
No. 73, A.,

Was concurred in, was reconsidered, and the bill was recommit-  
ted to the committee on Incorporations.

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**BILLS READY FOR A THIRD READING.**

No. 108, A.,

A bill to amend chapter 260 of the laws of Wisconsin for 1877,  
entitled an act to revise, consolidate and amend the charter of the  
city of Stevens Point, approved May 17, 1858, and the several acts  
amendatory thereof,

No. 131, A.,

A bill to authorize the construction of a dam across the south  
branch of the Embarrass river, in Shawano county,

Were severally read a third time and concurred in.

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**BILLS ON THEIR THIRD READING.**

No. 109, A.,

A bill to authorize the commissioners of public lands to loan a  
portion of the trust funds of the state to the town of Lyndon, in  
the county of Sheboygan,

Was ordered to a third reading.

The amendments to

No. 1, A.,

A bill to authorize the commissioners of public lands to loan a  
portion of the trust funds to the county of Portage,

Were adopted, and the bill was ordered to a third reading.

No. 53, A.,

A bill to appropriate to George B. McMillan a sum of money  
therein named, as extra pay for services in the late war,

Was laid over until to-morrow.

No. 86, A.,

A bill to amend section 169 of the revised statutes of 1878, en-  
titled of state officers,

Was recommitted to the committee on Agriculture.

No. 3, A.,

A bill to repeal sections 1623, 1624 and 1625 of chapter 72 of  
the revised statutes, entitled of dogs and wild animals,

Senator Griffin moved that further consideration of the bill be  
postponed until Wednesday, the 25th inst.

The ayes and noes being demanded, it was decided in the affirm-  
ative: ayes, 16; noes, 11; not voting, 6.

The vote was as follows:

*Ayes* — Senators Anderson, Blackstone, Carter, Chipman, Dering, Griffin, Grimmer, Haben, Houghton, McFetridge, Price, Quarles, Scott, Sutherland, Weaver and Woodman—16.

*Noes* — Senators Bennett, Fifield, Hyde, Kellogg, Kelly, Morgan, Rankin, Ryland, Sacket, Smith and Thomas — 11.

*Not voting* — Senators Burrows, McGrew, Paul, Richardson, Van Schaick and Van Steenwyk — 6.

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#### BILLS ON THEIR ENGROSSMENT AND THIRD READING.

No. 139, S.,

A bill to amend section 5 of chapter 51 of the general laws of 1866, entitled an act to authorize the use of money arising from the sale of certain swamp and overflowed lands in the counties of Manitowoc and Calumet, for drainage and other purposes, and to amend chapter 537 of the laws of 1865, relating thereto,

No. 141, S.,

A bill to authorize the commissioners of public lands to loan a portion of the state funds to the town of Loraine, in the county of Polk,

No. 194, S.,

A bill to authorize the commissioners of public lands to loan a portion of the trust funds of the state to the county of Lincoln,

Were severally ordered engrossed and read a third time.

No. 130, S.,

A bill to repeal sections 509, 510 and 511 of chapter 27 of the revised statutes, entitled of the purchase and distribution of dictionaries,

Was indefinitely postponed.

No. 53, S.,

A bill fixing the time when wild deer may be taken in the counties of Ashland, Bayfield and Douglas,

Senator Sutherland offered the following amendment:

Amend by striking out the word "January," where it occurs in the third line of section 1, and insert instead "December."

The amendment was adopted, and

The bill was ordered engrossed and read a third time.

No. 61, S.,

A bill to appropriate to the Institution for the Education of the Deaf and Dumb, the sum of fourteen thousand dollars, to meet the current expenses of the institution up to March 1, 1880,

Was ordered engrossed and read a third time.

On motion of Senator Quarles,

The rules were suspended, and the bill was passed.

The ayes and noes being required, it was decided in the affirmative; ayes, 30; noes, none; not voting, 3.

The vote was as follows:

*Ayes* — Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Grimmer, Haben, Houghton,

Hyde, Kellogg, Kelly, McFetridge, Morgan, Price, Quarles, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Sutherland, Thomas, Van Schaick, Weaver and Woodman—30.

*Noes* — None.

*Not voting* — Senators McGrew, Paul and Van Steenwyk — 3.  
No. 127, S.,

A bill to amend section 680 of the revised statutes, relating to claims against counties,

Senator Sutherland offered the following amendment:

Amend No. 127, S., by adding at the end of section 1 of the printed bill, and making a part of said section, the following:

Such statement shall be laid before the county board by said clerk, and shall be conclusive evidence of the claims of the persons named; and the county board shall audit such claim, and such order to be drawn therefor; and if any person in whose favor any such order is drawn shall not call for the same within two years from the time the county board audited his account, he shall be deemed to have waived his right to any compensation for his service, and the county board shall cancel such order.

Senator Rankin offered the following amendment to the amendment, amended by striking out the word "conclusive" and inserting in lieu thereof the words "prima facie."

The amendment to the amendment was adopted, the amendment as amended was then adopted, and the bill was ordered engrossed and read a third time.

No. 39, S.,

A bill to include the Chicago & Tomah railroad in the provisions of chapter 153 of the general laws of 1879, and amendatory of said chapter,

Was laid aside until to-morrow.

No. 4, S.,

A bill to permit the boards of supervisors of counties to exempt their respective counties from the provisions of section 1623, 1624 and 1625 of the revised statutes of 1878, providing for the taxation of dogs,

On motion of Senator Griffin,

The amendments to the bill were ordered printed, and further consideration of the bill was postponed until Wednesday, the 25th inst.

On motion of Senator Kellogg,

Further consideration of

No. 185, S.,

A bill for the division of the counties of Clark and Marathon, and for the erection of the county of Webster,

Was postponed until Wednesday, the 25th inst.

On motion of Senator Burrows,

All rules interfering with the present consideration of

No. 140, S.,

A bill to authorize S. S. Vaughn to build and maintain a dam across Long lake, branch of White river, Bayfield county, Wisconsin,

No. 142, S.,

A bill to authorize Alex. Welcome to build and maintain a dam across Long lake branch of White river, in Bayfield county, Wisconsin,

No. 143, S.,

A bill to authorize S. S. Fifield to build and maintain a dam across White river, in Bayfield county, Wisconsin,

Were suspended, and the bills were severally indefinitely postponed.

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On motion of Senator Bennett,  
The senate adjourned.

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FRIDAY, FEBRUARY 20, 1880.

The senate met.

The president in the chair.

Prayer by the Rev. Mr. Irish.

The roll was called, and the following senators answered to their names:

Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, Kelly, McFetridge, Morgan, Paul, Price, Quarles, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Sutherland, Thomas, Van Schaick, Van Steenwyk and Woodman.

The journal of yesterday was approved.

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#### LEAVES OF ABSENCE.

Leave of absence was granted to Senator Weaver until Monday.

To Senator Dering until Tuesday.

To Senator Houghton indefinitely.

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#### LETTERS, PETITIONS, Etc.

By Senator Paul:

Pet. No. 92, S.,

Petition of Inbusch Bros., Jacob Moriarty, John Dahlman and 21 others against the passage of any bill changing existing laws relating to taxing of life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Paul:

Pet. No. 93, S.,

Petition of John R. Drake, E. R. Persons, D. S. Ordway and 20 others, against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Paul:

Pet. No. 94, S.,

Petition of B. Leidersdorf & Co., Henry M. Mendel, Peter Fern-  
ekes and 23 others against the passage of any bill changing exist-  
ing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Paul:

Pet. No. 95, S.,

Petition of F. F. Adams & Co., J. T. Kingsbury, W. J. Kling  
and 22 others against the passage of any bill changing existing  
laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Paul:

Pet. No. 96, S.,

Petition of S. Brown, W. J. Durbin, O. L. Packard and 22 others,  
against the passage of any bill changing existing laws relating to  
taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Dering:

Pet. 97, S.,

Petition of J. V. Holman and 24 others against the passage of  
253, S., and 241, A.

To committee on Finance, Banks and Insurance.

By Senator Dering:

Pet. No. 98, S.,

Petition of W. C. Sherbarth and 25 others against the passage of  
Nos. 253, S., and 241, A.

To committee on Finance, Banks and Insurance.

By Senator Dering:

Pet. No. 99, S.,

Petition of Jacob Rupp and 24 others against the passage of Nos.  
253, S., and 241, A.

To committee on Finance, Banks and Insurance.

By Senator Van Schaick:

Pet. No. 100, S.,

Petition of Jno. H. May, Geo. Atkinson, Fred. King and 23  
others against the passage of any bill changing existing laws re-  
lating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Van Schaick:

Pet. No. 101, S.,

Petition of Ball & Goodrich, O. G. Blodgett, W. D. Bonnawitz and 21 others, against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Van Schaick:

Pet. No. 102, S.,

Petition of Treat & Wall, Cramer & Co., Rice & Friedman, G. H. Huminan & Co. and 21 others, against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Grimmer:

Pet. 103, S.,

Petition of Chas. M. Upham, R. W. Jackson and 23 others against the passage of any bill changing the existing laws in relation to the taxation of life insurance companies in Wisconsin.

To committee on Finance, Banks and Insurance.

By Senator Sutherland:

Pet. No. 104, S.,

Petition of C. N. McLean and 47 others against any change of existing laws taxing life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Sutherland:

Pet. No. 105, S.,

Petition of Chas. Hamon and 46 others against the passage of the bill amending the charter of the Milwaukee Mechanics' Mutual Insurance Company.

To Milwaukee Delegation.

By Senator McFetridge:

Pet. No. 106, S.,

Petition of N. Rohloyer, John J. Stacks and others, prominent citizens of Iroo Ridge, Dodge county, Wisconsin, against the passage of bill No. 253, S., prescribing a manifestly unjust tax upon the business of life insurance in this state.

To committee on Finance, Banks and Insurance.

By Senator Griffin:

Pet. No. 107, S.,

Petition of G. I. Ap. Roberts and 216 others, citizens of Pierce county, against the passage of bill 253, S., and 241, A., relating to the taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator McFetridge:

Pet. No. 108, S.,

Petition of Gustavus Stolz, D. C. Gowdey, F. Tillman, Peter Bowle and others against the passage of senate bill No. 219.

To committee on Finance, Banks and Insurance.

By Senator Morgan:

Pet. No. 109, S.,

Petition of N. Landott and 25 other citizens of Ozaukee county, against taxing life insurance companies in this state.

To committee on Finance, Banks and Insurance,

By Senator Burrows:

Pet. No. 110, S.,

Petition of M. E. Fuller, Rev. C. H. Richards, Geo. W. Gilman, Richard Porsch and 48 others, of Dane county, against the passage of bill No. 253, S., known as the Sacket bill, for imposing an additional tax on life insurance.

To committee on Finance, Banks and Insurance.

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### REPORTS OF COMMITTEES.

The committee on Judiciary, to whom was referred

No. 221, S.,

A bill to amend section 131 of the revised statutes, relating to sheriffs' fees,

No. 171, S.,

A bill to fix a salary for sheriffs,

Have had the same under consideration, and instruct me to report the same back with the recommendation that they do pass.

No. 116, S.,

A bill to amend section 1926, chapter 89 of the revised statutes of 1878, entitled of insurance corporations,

No. 175, S.,

A bill construing section 1210 e of the revised statutes of 1878, entitled of taxation,

With amendments, and recommend their passage when so amended.

No. 209, S.,

A bill to attach the counties of Ashland and Bayfield to the seventh judicial circuit, and fixing the time for holding terms of court in said counties,

With the recommendation that it be indefinitely postponed.

No. 97, A.,

A bill to create a municipal court for the county of Barron,

No. 14, A.,

A bill to restore criminal jurisdiction in the county of Winnebago,

No. 90, A.,

A bill relating to the assessment and collection of highway taxes, and amending subdivision 2 of section 1240 of chapter 52 of the revised statutes,

No. 65, A.,

A bill to amend section 5 of chapter 76 of the private and local laws of Wisconsin, passed in the year 1868, entitled an act to consolidate Union School District No. 1, in the city of Beloit, joint

with the towns of Beloit and Turtle, and Union School District No. 2, of the city of Beloit, joint with the town of Beloit, and for the formation of Beloit city school district,

With the recommendation that they be concurred in.

No. 132, A ,

A bill to amend section 670, chapter 36, of the revised statutes, relating to special powers of county boards of supervisors,

No. 49, A.,

A bill to amend section 4565 of chapter 185, revised statutes, entitled of offenses against public policy,

With the recommendation that they be indefinitely postponed.

H. E. HOUGHTON,

*Chairman.*

On motion of Senator Houghton,

The rules were suspended, and No. 97, A., was read a third time and concurred in.

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The committee on Charitable and Penal Institutions, to whom was referred Memos. No. 12 and No. 23, S., asking for the taxation of church property,

Have had the same under consideration, and instructed me to report them back with the recommendation that their further consideration be indefinitely postponed.

In returning these memorials with this recommendation, a respectful regard for the opinions of the numerous petitioners, impels your committee to briefly present some of the considerations which have led them to advise against granting the petition.

Until the formation of our constitution nearly all known governments made provision for religious worship in some form. The church was also a part, and often the most important part of the state. Before the commencement of our era, the governments of the then civilized world lavished enormous sums on temples, whose ruins yet remain and attest that "faith in things unseen" was then, as now, a component part of man's nature.

When christianity became the dominant religion of civilization, its disciples in their turn strove to symbolize its power and their devotion, in the wonderful cathedrals of mediæval Europe. The common people were always ready to invest their savings in these edifices, which gave them, as they believed, a sure if distant return in another world.

When church property increased to such an enormous extent before the Reformation as to have its exemption from taxation become burdensome to the people, it was not the church proper, where they worshipped, of which they complained, but the enormous additions which had grown up around it; the monasteries, with their vast endowments, their crowds of idle monks and dependents of all kinds, with their assumed independence of civil government. These had become a burden grievous to be borne. Freed from these incumbrances, the church again became the home of man's "dearest aspirations."

The framers of our constitution wisely separated it from the state, and while making provision for the latter, left the church to be supported by the voluntary offerings of the people.

Under this system it has become an element of every community in our land, and certainly not the least refining and elevating element of our civilization. Men invest their money in the multitude of business operations which build up our cities, in the hope of large returns, either directly or indirectly. They found libraries from a higher motive, but still for a tangible benefit and pleasure.

They erect art galleries to give delight to the eye and minister in one sense to the pleasure of the senses, but the money invested in a church is given with no expectation of any earthly return. It is the only disinterested gift of many men's whole lives. Whatever may be thought of the faith which the church represents, it cannot be doubted that the elevation of the motive which builds it, benefits the community, even in dollars and cents, quite as much as its taxable value.

It is a standing proof of a certain amount of good order and morality in the community around it. Institutions of a doubtful character do not often seek its neighborhood; it invites the best class of citizens, and the practical business man will usually tell you "it pays," and contributes more to preserve order, enforce law and defend the right than police courts and penitentiaries. But though it benefits the community, it makes no return in money to the men who contribute to its erection.

Yet we are asked to tax this nonpaying institution for the benefit of other institutions which pay their hundred fold to their builders. Our fathers refused to tax the people for the support of the church, but left religion free as air and water; and now it is proposed that we should tax the church to support the people; to lay an embargo on men's consciences, and restore the temple to the money changers.

We may not agree in creed or opinion with the different denominations who employ this property for religious purposes. No matter. Any religion is better than barbarism, and all sects represent some phase of progress.

But the proposition to tax church property is urged upon the legislature as a means of revenue, and it is as such that we are to particularly consider it. In this country, as before stated, all church property has been created, and is sustained by voluntary contributions from that surplus fund which is set apart by most men to minister to some sentiment or pleasure, and which, however expended, is entirely lost to the world's rent-paying capital. The money which is then given to the church passes beyond its donor's individual control, and no matter how large his gift, he desires no more tangible revenue from it than he who gives but a hundredth part as much.

Neither acquires any property right in the church edifice towards whose erection they have contributed. While such edifice is used for church purposes it has no exchangeable value. It cannot be rented, sold or made to pay revenue, and without revenue it can-

not pay taxes. It becomes as much public property, erected for public good, as our colleges and hospitals, and the reasons given for taxing it apply with equal force to the latter institutions.

The argument in favor of taxing church property, based upon its value, be its value great or small, is unfounded, because it is not exchangeable value. The value of the air we breathe and the rain from heaven is incalculable, but not exchangeable; and therefore, most fortunately, not taxable. Some of our churches have cost large sums of money, but cost without returns, either present or prospective, would be a poor basis for taxation. The only true standard of taxable value is the ratio pecuniary income on property.

Many of our water powers and coal and mineral beds, developed at slight cost have proved of great value, while other costly improvements have by changes in the routes of commerce, become comparatively worthless. If we had no other measure of taxable value than cost, we should in our western cities too often follow the scriptural injunction and "give (immunity from taxes) to him who hath much, and take away from many a poor fellow even the little that he hath."

Again, we are told that our churches are located on desirable business and residence streets and may be made revenue paying by secularizing them. This may be true of the specific property occupied by many houses of worship, but the value it would acquire by secularization would be at the expense of other business and residence property, and would add nothing to the aggregate taxable value of the property in the district where situated.

The exchangeable value of property in any city depends upon its use or occupation, and the percentage of profit yielded by the business for which it is used, and unless the secularization of church property would increase the business or population of a city, it would add nothing to the aggregate income derived from all its property, and, consequently, nothing to its exchangeable or taxable value.

Others fear that certain churches are becoming too powerful, and would have the state use its taxing power to restrain their growth. But the result of such taxation would be just the reverse of the purpose entertained by those favoring the proposition. Its tendency would be to annihilate the weak and perpetuate the strong. Churches with the wealthiest congregations would become the masters of the religious field, and destroy the greatest safeguards of religious liberty and progress, now secure in the conflict of ideas, and the multiplicity of organizations, regardless of the extent of property rights.

It is further objected to the principle of exemption, that churches are not used by the entire public. But that is an imperfection in all known systems of government.

We support public libraries, though but few enjoy their benefits; hospitals for the insane, yet all are not mad; public educational institutions, though many families educate their children in private schools, while many others have no children to educate, and noth-

ing less than divine wisdom could adjust the burdens of taxation to the exact measure of benefits each individual may imagine he receives from it.

The city of Milwaukee has the largest amount of what is known as church property of any place in the state. It consists in cemeteries, churches, hospitals, schools, etc. This property represents the offerings of the devout and the philanthropic of that city for nearly half a century. Neither state nor municipality has contributed to its purchase or improvement.

Milwaukee also has large parks and public grounds, which by the wisdom of her founders were set apart for the use of the public. She also has large tracts of land intended to be used for business purposes, upon which owners have paid taxes for many years, not from revenues derived from them, but from the rents or profits derived from other sources.

If these parks were degraded, this church property secularized, and the whole divided into business and residence lots, it would only add so much more to the unoccupied lands, now greatly in excess of that city's requirements, and taxes assessed upon them would have to be paid by other city property; or if these new lots were actually built upon and used, it would still further delay the occupation of those which have so long awaited tenants, and would consequently diminish their value.

It is a well understood principle of political economy, that an excessive quantity of any commodity has less exchangeable value than a slightly insufficient quantity. So well is this understood, that shrewd business men, interested in maintaining prices, are more desirous to prevent over-production than they are to secure a supply equal to demand. Hence "lock-outs" and "suspensions" in mining and manufacturing districts, and the high price of grain in anticipation of poor harvests.

The same rule holds good in regard to real as to personal property. Building lots, commercial buildings, and tenement houses in any city in excess of the requirements of its trade and population, have less rental value and consequently less exchangeable value than a number barely equal to its business wants. Competition between landlords for responsible tenants reduces rents below fairly remunerative prices, and frequently to so low a point as to leave no margin of profit to owners over taxes, insurance and repairs; and the taxes, insurance and repairs of the unoccupied property is paid by that portion of the whole which is occupied. Instances of this kind may be found in many of our cities at this time, and it is impossible to point to a city in the western states where the available space is not in excess of its wants for all these purposes.

In the golden days of Venice, when every foot of ground was wrested from the sea, and water lots were even more valuable than in Milwaukee, its extensive church property may have curtailed in some measure its marts of trade. The future New York may also yet require the whole of its little island for commerce, and be compelled to give the churches an outside seat, but that day belongs to New York's future as much as the case of Venice does to her past,

and will never come to a city backed by the prairies of Wisconsin.

On the contrary, if the well known piety of the members of the Milwaukee Chamber of Commerce were to lead them to devote their elegant buildings to religious uses, and thereby reduce them to non-taxable property, they would not diminish by one dollar the aggregate taxable value of their beautiful city. Its business center would only be transferred to another locality, which would gain in value all that the first had lost. Prices of real estate would soon readjust themselves to the new order of things; the volume of business in the city, and the profits arising therefrom, would not be diminished, and the assessor's roll would show no less taxable property.

That property having rental value owned by church societies, but not used strictly for church purposes, sometimes escapes taxation is true as to other states, and possibly, to some extent, as to this; but that is no argument against the principle of exemption, though it is against its application. That such property should be taxed, and, under state necessity, even confiscated, is a self evident proposition.

In conclusion, it appears to your committee unnecessary to make any changes in the laws relating to religion, which were wisely established by the fathers of the republic. When our churches become so crowded that the pews are sold at a premium high enough to pay the mortgages on the lots and put money into the pockets of the bloated vestrymen, it will be time enough to make them contribute to the relief of our banks, insurance companies, and other needy institutions. All of which they respectfully submit.

Mr. Simpson disagreeing.

H. RICHARDSON,  
*Chairman.*

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Senator Bennett offered the following resolution:

By Senator Bennett:

Res. No. 25, S.,

*Resolved*, That the report of the committee on Charitable and Penal Institutions, in reference to taxing church property, be spread upon the journal of the senate, and one thousand extra copies of the report printed, for general distribution.

Adopted.

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#### REPORTS OF SELECT COMMITTEES.

The select committee consisting of senators from Milwaukee county, to whom was referred

No. 89, A.,

A bill to legalize the acts of Geo. R. Mahoney, Henry P. Fischer and H. J. L. Meyer, deputy clerks of the city of Milwaukee,

No. 311, A.,

A bill to fix the salary of the chief of police in the city of Milwaukee, and to prohibit police and other officers of said city from receiving witness fees in certain cases,

No. 167, A.,

A bill to amend chapter 166 of the private and local laws of 1854, entitled an act to incorporate the German and English academy in the city of Milwaukee, and to repeal an act to incorporate the Anglo-German academy in the city of Milwaukee, approved July 3, 1853,

Have had the same under consideration, and respectfully report the same back with the recommendation that they be respectfully concurred in.

GEO. H. PAUL,  
I. W. VAN SCHAIK,  
EDWIN HYDE.  
*Committee.*

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The committee on Agriculture, to whom was referred

No. 86, A.,

A bill to amend section 169 of the revised statutes, entitled of state officers,

With pending amendment, have had the same under consideration, and report it back with the recommendation that it be concurred in when so amended.

No. 225, S.,

A bill in relation to fences, and to amend section 1391 of the revised statutes of 1878,

No. 138, S.,

A bill to appropriate to the Northern Wisconsin Agricultural and Mechanical Association a sum of money therein named,

No. 159, S.,

A bill to aid the Eastern Monroe Agricultural Society,

With the recommendation that they do pass.

No. 135, S.,

A bill to appropriate to the State Agricultural Society the sum of money therein named,

With an amendment, and recommend its passage when so amended.

No. 224, S.,

A bill relating to the payment and collection of taxes by county treasurers, and amendatory of section 1121 of the revised statutes,

No. 222, S.,

A bill to amend chapter 35, laws of 1879, entitled an act regulating the use and improvement of stock,

With the recommendation that they be indefinitely postponed.

JOHN W. BLACKSTONE,  
*Chairman.*

## MESSAGE FROM THE ASSEMBLY.

By J. E. ELDRED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has passed, and asks the concurrence of the senate in,

No. 128, A.,

A bill to authorize the city of Beaver Dam to issue bonds to build a city hall,

No. 228, A.,

A bill to amend section 1390 of chapter 55 of the revised statutes of 1878, by adding the words "wire and barbed wire" after the word "board," in the second line of said section,

No. 323, A.,

A bill to amend an act entitled an act to incorporate the city of Oconto, approved March 11, 1869, and the acts amendatory thereof,

No. 158, A.,

A bill to amend section 1 of chapter 47 of the private and local laws of Wisconsin for the year 1872, entitled an act for the division of the borough of Fort Howard and the town of Lawrence, and the erection of the town of Ashwaubenon in Brown county.

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ASSEMBLY MESSAGE CONSIDERED.

No. 128, A.,

Was referred to the Judiciary committee.

No. 228, A.,

Was referred to the committee on Agriculture.

No. 323, A.,

Was referred to the committee on Incorporations.

No. 158, A.,

Was referred to the committee on Town and County Affairs,

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SENATE RESOLUTION CONSIDERED.

The amendments to

Jt. Res. No. 11, S.,

Requesting senators and members of congress from Wisconsin to support such legislation as will place inter-state commerce under the control of a board of commissioners,

Were adopted, and the resolution as amended was adopted.

## BILLS READY FOR A THIRD READING.

No. 102, S.,

A bill to amend sections 1546, 1547 and 1786 of chapters 65 and 86 of the revised statutes, relating to industrial schools and commitments thereto,

Was read a third time and passed.

On motion of Senator Scott,

No. 215, S.,

A bill to authorize M. P. Beebe, his associates and assigns, to erect and maintain a dam across and make other improvements in Price river, in Lincoln county,

Was indefinitely postponed.

No. 1, A.,

A bill to authorize the commissioners of public lands to loan a portion of the trust funds to the county of Portage,

No. 109, A.,

A bill to authorize the commissioners of public lands to loan a portion of the trust funds of the state to the town of Lyndon, in the county of Sheboygan,

Were severally read a third time and concurred in.

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BILLS ON THEIR THIRD READING.

No. 117, A.,

A bill to amend section 925 of chapter 40 of the revised statutes of 1878, entitled of towns, cities and villages,

No. 186, A.,

A bill to amend an act entitled an act to revise, consolidate and Amend the charter of the city of Racine, approved August 8, 1848, and the several acts amendatory thereof, approved March 11, 1876, and the several acts amendatory thereof,

Were severally ordered to a third reading.

No. 26, A.,

A bill to amend chapter 52 of the revised statutes of 1878, entitled of "highways and bridges,"

Was indefinitely postponed.

Senator Rankin moved to recommit

No. 53, A.,

A bill to appropriate to Geo. B. McMillan a sum of money therein named, as extra pay for services in the late war,

To the Judiciary committee.

The motion was lost, and the bill was ordered to a third reading.

## BILLS ON THEIR ENGROSSMENT AND THIRD READING.

No. 46, S.,

A bill relating to the payment of fees upon settlement of estates of deceased persons in the county of Milwaukee, and amendatory of section 2483 of the revised statutes of 1878,

No. 55, S.,

A bill to amend the articles of association of the Chicago, Milwaukee & St. Paul Railway Company,

No. 58, S.,

A bill relative to assessments for water pipes in the city of Milwaukee, and amendatory of sections 15, 16 and 17 of chapter 10 of chapter 184 of the laws of 1874,

No. 90, S.,

A bill to appropriate to the Industrial School for Boys a certain sum of money for current expenses,

No. 133, S.,

A bill to authorize W. F. Bailey, Geo. W. Mason, R. J. Kepler and A. S. Dodge, and their associates and assigns, to build and maintain a bridge over and across the Chippewa river,

No. 134, S.,

A bill to amend chapter 231 of the laws of 1876, entitled an act to amend and re-enact, as amended, chapter 333 of the laws of 1875, entitled an act to amend chapter 16 of the private and local laws of 1872, entitled an act to incorporate the city of Eau Claire so as to authorize the construction of water works by and for said city,

No. 178, S.,

A bill to authorize Delos R. Moon, his associates or assigns, to improve Wolf river, a tributary of the north fork of the Eau Claire river, in the counties of Clark, Chippewa and Eau Claire,

No. 179, S.,

A bill to authorize Delos R. Moon, his associates and assigns, to improve Muskrat river, a tributary of the Eau Claire river, in the county of Eau Claire,

No. 180, S.,

A bill to authorize Delos R. Moon, his associates or assigns, to improve Otter creek, a tributary of Wolf river, in the counties of Clark and Chippewa,

No. 226, S.,

A bill relating to fees and costs, and to amend the revised statutes of 1878,

Were severally ordered engrossed and read a third time.

The amendments to

No. 126, S.,

A bill to provide for laying out and establishing a road from Milwaukee to Port Washington,

No. 129, S.,

A bill to amend chapter 22 of the revised statutes of 1878, entitled of the distribution of public documents,

No. 218, S.,

A bill relating to the board of state canvassers, and amendatory of section 58 of chapter 5 of the revised statutes of 1878,

Were adopted, and the bills were severally ordered engrossed and read a third time.

No. 11, S.,

A bill to amend section 329 of chapter 20 of the revised statutes of 1878, relating to the publication of the laws,

No. 101, S.,

A bill relating to village charters, and amendatory of sections 910 and 875 of chapter 40 of the revised statutes of 1878,

No. 156, S.,

A bill to provide for the erection of a county hospital for the county of Milwaukee,

Were severally indefinitely postponed.

The amendments to

No. 39, S.,

A bill to include the Chicago & Tomah railroad in the provisions of chapter 153 of the general laws of 1879, and amendatory of said chapter,

Were adopted, and the bill was recommitted to the committee on Railroads.

No. 117, S.,

A bill to amend section 20 of chapter 5 of the revised statutes of 1878, entitled of electors and general elections,

Was recommitted to the committee on Judiciary.

No. 186, S.,

A bill in relation to the State Historical Society, and appropriating a sum of money,

No. 234, S.,

A bill to appropriate a sum of money therein named for the purchase of a building or buildings located in the county of Brown, to be used as an institution for the education of the deaf and dumb, and for the fitting up of such building or buildings, and for the maintenance of such institution until March 1, 1880,

Were recommitted to the committee on Claims.

No. 196, S.,

A bill to improve Hay creek, a branch of the Eau Claire river, in the county of Clark, for driving logs out of said creek,

Was laid over until Monday evening.

No. 136, S.,

A bill to authorize D. P. Simons, his associates and assigns, to construct and maintain a dam across and otherwise improve Butternut creek in Pierce county, Wisconsin,

Was laid over till to-morrow.

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#### SPECIAL ORDER.

No. 63, S.,

A bill relating to writs of mandamus and prohibition, and amendatory of section 3452 of the revised statutes of 1878,

With pending amendments,

Being the special order for this hour, was taken up, the amendments reported by the committee were adopted, and the bill was ordered engrossed and read a third time.

The ayes and noes being demanded, it was decided in the affirmative; ayes, 21; noes, 7.

The vote was as follows:

*Ayes* — Senators Blackstone, Burrows, Chipman, Dering, Fifield, Griffin, Grimmer, Houghton, Hyde, Kellogg, Kelly, McFetridge, Price, Quarles, Richardson, Ryland, Scott, Sutherland, Thomas, Van Steenwyk and Woodman — 21.

*Noes* — Senators Anderson, Carter, Haben, Morgan, Paul, Rankin and Smith — 7.

On motion of Senator Sacket, the rules were suspended, and No. 209, S.,

A bill to attach the counties of Ashland and Bayfield to the seventh judicial circuit, and fixing the time for holding terms of court in said counties,

Was indefinitely postponed.

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On motion of Senator Burrows,  
The senate adjourned.

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SATURDAY, FEBRUARY 21, 1880.

The senate met.

10 o'CLOCK A. M.

The president in the chair.

Prayer by Rev. Mr. Benson.

The roll was called, and the following senators answered to their names:

Senators Anderson, Blackstone, Burrows, Carter, Chipman, Fifield, Griffin, Haben, Kellogg, Kelly, McFetridge, Price, Quarles, Richardson, Sacket, Scott, Sutherland, Thomas, Van Schaick, Van Steenwyk and Woodman.

The journal of yesterday was approved.

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### LEAVE OF ABSENCE

Was granted to Senators Ryland, Bennett and Morgan until Tuesday morning.

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Senator Price moved that when the senate adjourn, it be until Tuesday morning.

Senator Kelly offered the following amendment:

Amend the motion by making the time Monday evening.

The amendment was adopted, and the motion as amended prevailed.

## LETTERS, PETITIONS, ETC.

By Senator Sutherland:

Pet. No. 111, S.,

Of Leonard Larkin and 24 others against the passage of any bill changing the existing laws in relation to the taxing of life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Van Steenwyk:

Pet. No. 112, S.,

Of J. S. H. Moulton and 39 other citizens of La Crosse against passage of bills 253, S., and 241, A., relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Woodman:

Pet. No. 113, S.,

Of Charles Haffz and 28 others against passage of bill No. 219, S.

To General File.

By Senator Richardson:

Pet. No. 114, S.,

Of Phineas Crowley and 24 other citizens of Rock county against passage of bills 253, S., and 241, A.

To committee on Finance, Banks and Insurance.

By Senator Price:

Pet. No. 115, S.,

Of Francis Avery and 19 others against the passage of No. 253, S.

To committee on Finance, Banks and Insurance.

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REPORTS OF COMMITTEES.

The committee on State Affairs, to whom was referred

No. 46, A.,

A bill to amend subdivision 4 of section 670 of the revised statutes, relating to bounty on wild animals,

No. 234, A.,

A bill to authorize the removal of the bodies buried in a certain plat of ground in the town of Mackford, and county of Green Lake, formerly used as a cemetery,

Have had the same under consideration, and report the same back with the recommendation that they be concurred in.

No. 152, A.,

A bill to authorize the county of Outagamie to borrow money,

With amendment, and recommend that it be concurred in when so amended.

No. 250, S.,

A bill to amend section 129 of chapter 11 of the revised statutes, entitled of the state officers,

With the recommendation that it do pass.

GEO. B. BURROWS,  
*Chairman.*

On motion of Senator Sacket, the rules were suspended, and No. 234, A., was read a third time and concurred in.

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The committee on Incorporations, to whom was referred,

No. 192, S.,

A bill to amend chapter 171 of the private and local laws of 1868, entitled an act to incorporate the Wisconsin River Improvement Company, and to amend chapter 298 of the laws of 1876, amendatory thereof,

Have had the same under consideration, and report it back with a substitute and ask that the substitute be printed.

No. 111, S.,

A bill to authorize A. B. McDonnell, his associates and assigns, to build and maintain a dam across, and otherwise improve, Pine creek, in Price county, Wisconsin.

With amendments, and recommend its passage when so amended.

GEO. GRIMMER,  
*Chairman.*

So ordered as to No. 192, S.

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The committee on Finance, Banks and Insurance, to whom was referred

No. 239, S.,

A bill to authorize mutual hail insurance companies of other states to do business in this state,

Have had the same under consideration, and report it with an amendment, and recommend its passage when so amended.

No. 124, S.,

A bill to amend section 1 of chapter 251 of the laws of 1879, entitled of insurance corporations,

Have had the same under consideration, and report it back with the recommendation that it be indefinitely postponed.

G. VAN STEENWYK,  
*Chairman.*

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The committee on Railroads, to whom was referred

No. 172, S.,

A bill to amend section 1797 of the revised statutes, in relation to the salary of the clerk of the railroad commissioner,

I have had the same under consideration, and have instructed me to report the same back with the recommendation that it do pass.

H. S. SACKET,  
*Chairman.*

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The committee on Military Affairs, to whom was referred  
No. 29, S.,

A bill to amend chapter 34 of the revised statutes, entitled of militia and the act amendatory thereof, and to provide for the greater efficiency of the Wisconsin National Guard,

Have had the same under consideration, and a majority of the committee have instructed me to report the same back with the recommendation that the same be indefinitely postponed, to which report of the majority of the committee the undersigned chairman of said committee dissents, and begs leave to submit the following as his reasons for such dissent:

The bill provides for the formation of thirty infantry companies, of not less than 55 nor more than 75 men. It provides, also, that these companies shall be organized into battalions, and properly officered. That they shall once a year rendezvous at such time and place as the governor shall designate, for encampment and drill in the school of the battalion; the companies to pay for their own transportation, but to be allowed commutation for one ration per day for each man, at the rate allowed in the United States army, which is 40 cents per ration, the encampment not to exceed six days in any one year.

The bill also provides that each such company shall be paid three hundred dollars per year, and there shall be allowed each man five dollars per year to be used and expended in procuring uniforms. The objection to the bill by one of the majority of the committee is based upon an opposition to any military organization in the state, and by the others objection is made to the expense necessarily incurred, as above stated. The minority can readily appreciate an argument opposing the formation of the militia of the state. There may be reasons valid to some of our citizens against such formations, based upon the want of any necessity for the same in times of peace, but the state has already on its statutes, laws providing for the formation of military companies, and paying them the sum of three hundred dollars per year per company, but fails to hold out any inducements for them to perfect themselves in the school of the battalion, without which they are not soldiers, and in case of an emergency, if suddenly required to act in the public defense, they would be practically almost as inefficient as would be an armed mob. The conclusion to which the undersigned has arrived, is that one of two things should be done: either organize efficiently or stop the needless expense of keeping up company organizations. As to the objection of the great expense incurred, I will say that I have made a careful estimate, with the following results: The maximum of each company is seventy-five

men; thirty companies are provided for in the bill; this would be an aggregate of 2,250 men.

One ration per day for six days would be.....	\$5,400 00
Uniforms for same per year.....	11,250 00
Add to this \$300 per company, already provided for by law .....	9,000 00
<b>Total...</b>	<b>\$25,650 00</b>
<b>Increase of expense.....</b>	<b>\$16,650 00</b>

This would be a per capita tax of less than one and one-half cents, and the percentage of tax upon the dollar of the property in the state would be less than 4-100 of a mill to meet the increased expenditure.

These figures are based upon the maximum number of men to a company. The minimum would ordinarily be the rule, and would therefore lessen the expense from the above estimate. It would seem that if these 2,250 men can afford to give their time and pay their own transportation, that the amount asked for from the state is exceedingly moderate, and in case an emergency should arise calling for the intervention of the military to protect the people, a few dollars thus wisely expended might in the end prove a very profitable investment. To conclude, I deem the bill moderate in its provisions, and earnestly recommend that the amendments heretofore introduced by the committee and herewith submitted be adopted, and that the bill as amended do pass.

J. A. KELLOGG,  
*Chairman.*

#### REPORT OF SELECT COMMITTEE.

The select committee consisting of the senators from Milwaukee county, to whom was referred

No. 67, S.,

A bill to provide for the appointment of a register of probate of the county court of Milwaukee county, and for other purposes.

Have had the same under consideration, and instructed me to report the same back with amendments, and recommend its passage when so amended.

EDWIN HYDE,  
I. W. VAN SCHAICK,  
*Committee.*

## EXECUTIVE COMMUNICATION.

STATE OF WISCONSIN,

*Executive Department,*MADISON, *February 21, 1880.**To the honorable the senate:*

The following entitled bills, originating in the senate have been approved, signed and deposited in the office of the secretary of state:

No. 2, S.,

An act to authorize the commissioners of public lands to loan a portion of the trust funds of the state to the county of Vernon.

No. 51, S.,

An act to authorize the commissioners of public lands to loan a portion of the trust funds to the city of Berlin.

No. 28, S.,

An act to authorize the commissioners of public lands of the state of Wisconsin to extend the time of payment of the loan made from the trust funds of the state to school district No. 12, in the town of Darlington, formerly town of Center.

No. 9, S.,

An act to authorize Thomas W. Gay, James A. Robb and Samuel H. Robb, their associates and assigns, to construct and maintain a dam across the Kickapoo river on land owned by them.

No. 20, S.,

An act relating to the Milwaukee and Brookfield Macadamized Turnpike Company, and amendatory of section 1, chapter 279, laws of 1878.

No. 5, S.,

An act empowering commissioners of United States courts to administer oaths and take and certify the acknowledgment of deeds and other instruments in writing.

No. 22, S.,

An act to amend section 4153 of the revised statutes, relating to evidence.

No. 65, S.,

An act relating to the municipal court of the city of Eau Claire, and amendatory of section 10 of chapter 183 of the laws of Wisconsin for 1874, as amended by section 1 of chapter 329 of the laws of Wisconsin for 1878.

No. 13, S.,

An act to provide for the purchase of Webster's Unabridged dictionaries.

No. 25, S.,

An act to amend chapter 284 of the private and local laws of 1866, entitled an act to incorporate the Eau Claire Lumber Company.

No. 26, S.,

An act to authorize Jes. Ericksen and E. C. Manger to maintain a boom in Kewaunee river, in Kewaunee county.

No. 36, S.,

An act to appropriate the sum of five hundred dollars to the Wisconsin State Dairymen's Association.

WILLIAM E. SMITH.

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MESSAGE FROM THE ASSEMBLY.

By J. E. ELDRED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has passed, and asks the concurrence of the senate in,

No. 91, A.,

A bill to amend section 1931 of chapter 89 of the revised statutes, entitled of insurance corporations,

No. 93, A.,

A bill amending the charter of the Evansville Seminary, and the several acts amendatory thereof,

No. 148, A.,

A bill to amend the charter of the city of Ahnapee, Kewaunee county,

No. 165, A.,

A bill relating to the assessment of personal property for taxation, and to amend section 1040 of the revised statutes,

No. 172, A.,

A bill to amend section 14 of chapter 103, laws of 1879, relating to tax deeds in Price county,

No. 190, A.,

A bill authorizing the city of Racine to purchase additional cemetery grounds,

No. 201, A.,

A bill relating to the revised statutes, and amending the same,

No. 224, A.,

A bill authorizing the city of Racine to borrow money from any available fund of said city, for the support of paupers,

No. 280, A.,

A bill to regulate the service of process in garnishee proceedings,

No. 291, A.,

A bill to amend chapter 162 of the laws of 1877, entitled an act to incorporate the city of New London,

No. 338, A.,

A bill authorizing the special collection of a tax levied by the city of Sheboygan, and omitted in the tax roll of 1879,

No. 340, A.,

A bill relating to the killing of deer in Door county, and amendatory of section 4 of chapter 40 of the laws of 1879,

No. 342, A.,

A bill to authorize K. A. Ostergreen and his associates to construct and maintain a dam and booms on the Spirit river, in the county of Lincoln,

No. 218, A.,

A bill to authorize the granting of state certificates to graduates of colleges and universities,

No. 174, A.,

A bill to amend sections 1927, 1928 and 1929, chapter 89, revised statutes, relating to town insurance companies,

No. 162, A.,

A bill to authorize Louis Vincent and others, their associates and assigns, to build and maintain piers in the Chippewa river, at places therein named,

No. 263, A.,

A bill to authorize C. F. Dawes, his associates and assigns, to build and maintain a dam across and otherwise improve Rock river, a tributary of Yellow river, in the county of Wood,

M. C. No. 9, A.,

To the postmaster general to establish a semi-weekly mail in Door county,

M. C. No. 12, A.,

Memorial to congress asking for the passage of a law regulating the sale of patent rights,

M. C. No. 14, A.,

To the postmaster general for an increase of mail service on rout 25,185, between Muscoda, Grant county, and Viroqua, Vernon county,

M. C. No. 15, A.,

Memorial to congress to authorize the building of a bridge across Sturgeon Bay, in Door county.

And has adopted and asks concurrence of the senate in

Jt. Res. No. 25, A.,

Granting leave to introduce bills for certain purposes,

Jt. Res. No. 26, A.,

Providing for firing a salute of 100 guns in honor of George Washington.

And has concurred in

No. 72, S.,

A bill authorizing the towns of Sigel and Flambeau, in Chippewa county, Wisconsin, to levy a special tax for the purpose of paying off certain bonds, and empowering the board of supervisors of Chippewa county to adjust the indebtedness of said towns,

No. 3, S.,

A bill to amend chapter 167, general laws 1879, entitled an act to amend sections 3329 and 3330 of the revised statutes of 1878, entitled of liens,

No. 122, S.,

A bill in relation to the apportionment of certain school moneys to district No. 3, of the town of Mequon, in the county of Ozaukee, for the year 1880,

No. 99, S.,

A bill to appropriate a sum of money therein named,

No. 59, S.,

A bill to appropriate to the Institution for the Education of the Blind a sum of money therein named,

No. 18, S.,

A bill to appropriate to the commissioners of fisheries a certain sum therein named,

No. 43, S.,

A bill relating to appropriation for stationery for certain employes,

No. 61, S.,

A bill to appropriate to the Institution for the Education of the Deaf and Dumb a sum of money therein named.

And has amended and concurred in

No. 110, S.,

A bill to authorize Henry L. Stout, John H. Douglas, William Wilson, John H. Knapp, Andrew Tainter and Thomas B. Wilson, their associates, successors and assigns, to erect and maintain a dam across Hemlock creek, in Barron county, on land owned by the Knapp, Stout & Co. Company,

No. 112, S.,

A bill to authorize John H. Knapp, Andrew Tainter, Thomas B. Wilson, Henry L. Stout, William Wilson and John H. Douglas, their associates, successors and assigns, to construct and maintain a dam across Hemlock creek, in Chippewa county, on lands owned by the Knapp, Stout & Co. Company.

And has refused to concur in

No. 62, S.,

A bill to amend section 111 *a* of the revised statutes of 1878, entitled of the legislature.

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#### ASSEMBLY MESSAGE CONSIDERED.

Nos. 91 and 174, A.,

Were referred to the committee on Finance, Banks and Insurance.

Nos. 93, 148, 291, 342 and 162 A.,

Were referred to the committee on Incorporations.

Nos. 165, 224 and 340, A.,

Were referred to the committee on State Affairs.

Nos. 172, 190, 201, 280, 338 and 263, A.,

Were referred to the Judiciary committee.

No. 218, A.,

Was referred to the committee on Education.

M. C. Nos. 9, 12, 14 and 15, A.,

Were referred to the committee on Federal Relations.

Jt. Res. No. 25, A.,

Was concurred in.

The assembly amendments to

Jt. Res. No. 11, S., and bill No. 112, S.,

Were concurred in.

Jt. Res. No. 26, A.,

Senator Kelly offered the following amendment:

2) — S. J.

Amend Jt. Res. No. 26, A., by inserting the words "the memory of" after the words "in honor of."

The amendment was adopted, and the resolution as amended was concurred in.

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### BILLS READY FOR A THIRD READING.

No. 117, A.,

A bill to amend section 925 of chapter 40 of the revised statutes of 1878, entitled of towns, cities and villages,

No. 186, A.,

A bill to amend an act entitled an act to revise, consolidate and amend the charter of the city of Racine, approved August 8, 1848, and the several acts amendatory thereof, approved March 11, 1876, and the several acts amendatory thereof,

Were severally read a third time and concurred in.

No. 53, A.,

A bill to appropriate to George B. McMillan a sum of money therein named, as extra pay for services in the late war,

Was read a third time and concurred in.

The ayes and noes being required, it was decided in the affirmative: ayes, 21; noes, 0; not voting 12.

The vote was as follows:

*Ayes* — Senators Anderson, Blackstone, Burrows, Carter, Chipman, Fifield, Griffin, Haben, Kellogg, Kelly, McFetridge, Price, Quarles, Richardson, Sacket, Scott, Sutherland, Thomas, Van Schaick, Van Steenwyk and Woodman — 21.

*Not voting* — Senators Bennett, Dering, Grimmer, Houghton, Hyde, McGrew, Morgan, Paul, Rankin, Ryland, Smith and Weaver — 12.

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### BILLS ON THEIR THIRD READING.

No. 14, A.,

A bill to restore criminal jurisdiction in the county of Winnebago,

No. 65, A.,

A bill to amend section 5 of chapter 76 of the private and local laws of Wisconsin, passed in the year 1868, entitled an act to consolidate Union School District No. 1, in the city of Beloit, joint with the towns of Beloit and Turtle, and Union School District No. 2, of the city of Beloit, joint with the town of Beloit, and for the formation of Beloit city school district,

No. 89, A.,

A bill to legalize the acts of Geo. R. Mahoney, Henry P. Fischer and H. J. Meyer, deputy clerks of the city of Milwaukee,

No. 90, A.,

A bill relating to the assessment and collection of highway taxes, and amending subdivision 2 of section 1240 of chapter 52 of the revised statutes,

No. 167, A.,

A bill to amend chapter 166 of the private and local laws of 1854, entitled an act to incorporate the German and English academy in the city of Milwaukee, and to repeal an act to incorporate the Anglo-German academy in the city of Milwaukee, approved July 13, 1853,

No. 311, A.,

A bill to fix the salary of the chief of police in the city of Milwaukee, and to prohibit police and other officers of said city from receiving fees in certain cases,

Were severally ordered to a third reading.

The amendments to

No. 86, A.,

A bill to amend section 169 of the revised statutes of 1878, entitled of state officers,

Were adopted.

Senator Kelly offered the following amendment:

Amend by inserting after the words "State Agricultural Society," in the amended bill, the words "Northern Wisconsin Agricultural and Mechanical Association."

Senator Kellogg offered the following amendment to the amendment:

Amend the amendment by adding after the words Northern Agricultural Society, the words, "and secretary of the Wisconsin River Improvement Company.

The amendment was ruled out of order by the chair.

On motion of Senator Thomas,

The bills, with pending amendments, were recommitted to the committee on State Affairs.

No. 49, A.,

A bill to amend section 4565 of chapter 185, revised statutes, entitled of offenses against public policy,

No. 132, A.,

A bill to amend section 670, chapter 36, of the revised statutes, relating to special powers of county boards of supervisors,

Were severally indefinitely postponed.

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## BILLS ON THEIR ENGROSSMENT AND THIRD READING.

No. 136, S.,

A bill to authorize D. P. Simons, his associates and assigns, to construct and maintain a dam across and otherwise improve Butternut creek in Price county, Wisconsin,

No. 221, S.,

A bill to amend section 131 of the revised statutes, relating to sheriffs' fees,

No. 225, S.,

A bill in relation to fences, and to amend section 1391 of the revised statutes of 1878,

Were severally ordered engrossed and read a third time.

The amendments to

No. 116, S.,

A bill to amend section 1926, chapter 89 of the revised statutes of 1878, entitled of insurance corporations,

Were adopted, and the bill was ordered engrossed and read a third time.

No. 135, S.,

A bill to appropriate to the State Agricultural Society the sum of money therein named,

No. 138, S.,

A bill to appropriate to the Northern Wisconsin Agricultural and Mechanical Association a sum of money therein named,

No. 159, S.,

A bill to aid the Eastern Monroe Agricultural Society,

Were severally recommitted to the committee on Claims.

No. 171, S.,

A bill to fix a salary for sheriffs,

Was laid over until Wednesday.

No. 175, S.,

A bill construing section 1210 e of the revised statutes of 1878, entitled of taxation,

Was laid over until Tuesday morning.

No. 222, S.,

A bill to amend chapter 35, laws of 1879, entitled an act regulating the use and improvement of stock,

No. 224, S.,

A bill relating to the payment and collection of taxes by county treasurers, and amendatory of section 1121 of the revised statutes,

Were severally indefinitely postponed.

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On motion of Senator Haben,  
The senate adjourned.

MONDAY, FEBRUARY 23, 1880.

7:30 o'CLOCK P. M.

The senate met.

The president in the chair.

The roll was called, and the following senators answered to their names:

Senators Anderson, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Grimmer, Haben, Kellogg, Kelly, McFetridge, McGrew, Paul, Price, Quarles, Richardson, Sacket, Scott, Thomas, Van Schaick, Weaver and Woodman.

The journal of Saturday was approved.

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On motion of Senator Burrows,  
The senate adjourned.

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TUESDAY, FEBRUARY 24, 1880.

The senate met.

10 o'CLOCK A. M.

The president in the chair.

The roll was called, and the following senators answered to their names:

Senators Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Grimmer, Haben, Kellogg, Kelly, McFetridge, McGrew, Paul, Price, Quarles, Rankin, Richardson, Ryland, Sacket, Scott, Sutherland, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman.

The journal of yesterday was approved.

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#### LEAVES OF ABSENCE.

Leave of absence was granted the committee on Charitable and Penal Institutions for to-morrow.

To Senator Hyde until to-morrow evening.

## LETTERS, PETITIONS, Etc.

By Senator Paul:

Pet. No. 116, S.,

Of John Kerr, W. P. Lawler and 18 others against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Paul:

Pet. No. 117, S.,

Of John F. G. Starek, Fred. Bloodgood, J. P. C. Cottrill and 17 others against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Paul:

Pet. No. 118, S.,

Of A. Finch, James Douglas, J. S. Buck and 13 others against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Paul:

Pet. No. 119, S.,

Of H. C. Koch, Thos. Mason, Fred Kratz and 13 others against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Paul:

Pet. No. 120, S.,

Of W. G. Cutler, Fred Rummel, Emil Court and 23 others, against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Paul:

Pet. No. 121, S.,

Of James A. Hosch, Wm. H. Park, Wm. Lockwood and 23 others against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Paul:

Pet. No. 122, S.,

Of J. C. Iversen & Co., Peterman & Stredy, J. B. Hoeger & Sons and 23 others against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Paul:

Pet. No. 123, S.,

Of Jacobi & Richter, Fred Preusser, F. Aude & Son and 23 others

against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Paul:

Pet. No. 124, S.,

Of Hansen's Empire Fur Co., Golden Eagle Clothing Store, Chas. H. Bradley and 23 others against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Paul:

Pet. No. 125, S.,

Of J. S. Hathaway, Daniel Wells, Jr., John Nazro and 16 others against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Paul:

Pet. No. 126, S.,

Of W. & J. G. Flint, J. P. Thompson & Co., A. M. Kuehn & Co., and 21 others against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Paul:

Pet. No. 127, S.,

Of A. S. Wallschlaeger & Co., J. W. Marchlein, J. Fischback and 22 others against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Paul:

Pet. No. 128, S.,

Of I. M. Davis & Co., A. B. Blanchard, E. H. Smith & Co. and 21 others against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Paul:

Pet. No. 129, S.,

Of F. Roth, I. Sandels, F. Becker and 21 others against the passage of any bill changing existing laws relating to life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Paul:

Pet. No. 130, S.,

Of J. B. Cassoday, M. B. Britton, James Clark and 14 others against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

7 Senator Paul:

Pet. No. 131, S.,

Of J. J. R. Pease, Wm. Ruger, L. T. Patton, R. L. Colvin and others against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

7 Senator Paul:

Pet. No. 132, S.,

Of Jacob Winkler, Fred Osterman, F. J. Dixon and 21 others, against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

7 Senator Bennett:

Pet. No. 133, S.,

Of Calvin Cheney, D. H. Kersel, Edward C. Nixon and 23 others against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

7 Senator Bennett:

Pet. No. 134, S.,

Of M. J. Woodard, John Bird, Jacob Weber and 23 others, against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

7 Senator Bennett:

Pet. No. 135, S.,

Of Gustav Eberle, Wm. Beiber, Eugene Gebhardt and 23 others against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

7 Senator Van Schaick:

Pet. No. 136, S.,

Of Angus Smith, William Young, C. J. Kershaw, E. P. Bacon and 21 others against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

7 Senator Van Schaick:

Pet. No. 137, S.,

Of Henry Weber, A. A. Egan, Henry Riedel and 20 others against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

7 Senator Van Schaick:

Pet. No. 138, S.,

Of D. G. Reed, J. M. White, O. Felthausen and 18 others against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Van Schaick:

Pet. No. 139, S.,

Of Blair & Persons, B. K. Miller, H. C. Payne and 23 others against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Van Schaick:

Pet. No. 140, S.,

Of Adolph Cramer, E. V. Fernekes, Wm. Kitzerow and 13 others against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Van Schaick:

Pet. No. 141, S.,

Of C. H. Wagner, H. J. Johnson, W. H. Hagadorn and 14 others against the passage of any bill relating to the taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Chipman:

Pet. No. 142, S.,

Of Joseph Jackson, A. J. Russell and 21 others of the town of Rochester, in Racine county, against the passage of bills No. 253, S., and No. 241, A., relating to license fees of life and accidental insurance companies doing business in the state of Wisconsin.

To committee on Finance, Banks and Insurance.

By Senator McFetridge:

Pet. No. 143, S.,

Of R. V. Bogert, Andrew Williard, J. H. Babcock and A. Scott Sloan against the passage of senate bill 253, taxing life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Kelly:

Pet. No. 144, S.,

Of Sheels and Best and 170 others, for the passage of bill No. 183, S., relating to the equalization of assessments.

To committee on Judiciary.

By Senator McGrew:

Pet. No. 145, S.,

Of Edward Harris, Chas. McIthor and 41 other citizens of Mineral Point, Iowa county, against the passage of bills 253, S., and 241, A., in relation to taxing life insurance companies in the state of Wisconsin.

To committee on Finance, Banks and Insurance.

By Senator Woodman:

Pet. No. 146, S.,

Of D. D. Done and others against the passage of 253, S., and 241, A.

To committee on Finance, Banks and Insurance.

By Senator Sacket:

Pet. No. 147, S.,

Of Chas. Rogers, for the passage of No. 253, S.

To committee on Finance, Banks and Insurance.

By Senator Van Schaick:

Pet. No. 148, S.,

Of John Plankinton, J. B. Oliver & Co., Chas. H. Larkin and 23 others against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

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### REPORTS OF COMMITTEES.

The committee on Incorporations, to whom was referred

No. 123, S.,

A bill to amend chapter 299 of the private and local laws of the year 1870, entitled an act to define the several acts and duties of the Beef Slough Manufacturing, Booming, Log Driving and Transportation Company,

Have had the same under consideration, and report the same back with recommendation that it be referred to Senator Scott.

No. 246, S.,

A bill to authorize Joseph S. Wilson, his associates and assigns, to construct and maintain a boom and piers in the Chippewa river in the city of Eau Claire,

With an amendment and recommend its passage when so amended.

No. 162, A.,

A bill to authorize Louis Vincent and others, their associates and assigns, to build and maintain piers in the Chippewa river, at places therein named,

No. 73, A.,

A bill to authorize Gustavus Werlich, his associates and assigns, to erect and maintain a dam and boom and otherwise improve Big Rib river in Marathon county,

With amendments, and recommend that they be concurred in when so amended.

No 51, A.,

A bill to amend the charter of the city of Watertown,

No. 332, A.,

A bill to amend section 14 of chapter 104 of the private and local laws of 1870, entitled an act to authorize the city of Oconto to extend and maintain a pier into the waters of Green Bay,

No. 291, A.,

A bill to amend chapter 162 of the laws of 1877, entitled an act to incorporate the city of New London,

No. 333, A.,

A bill to amend an act entitled an act to incorporate the city of Oconto, approved March 11, 1869, and the acts amendatory thereof,

No. 33, A.,

A bill to authorize Chas. W. Hanson to build and maintain a dam across, and otherwise improve, Christmas creek, in Chippewa county,

No. 189, A.,

A bill authorizing the city of Racine to pay an increased salary to the harbor master and bridge tenders of said city,

No. 258, A.,

A bill to authorize Atley Peterson and Peter Hooverson, their associates and assigns, to construct and maintain a dam across the Kickapoo river, on lands owned by them,

No. 342, A.,

A bill to authorize K. A. Ostergreen and his associates to construct and maintain a dam and booms on the Spirit river, in the county of Lincoln,

No. 360, A.,

A bill to authorize Gus. A. Dreutzer to build a pier into the waters of Green Bay,

With recommendation that they be concurred in.

GEO. GRIMMER,  
*Chairman.*

So ordered as to No. 123.

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The committee on Printing, to whom was referred

No. 70, S.,

A bill to appropriate to the state printer a certain sum of money,  
Have had the same under consideration and respectfully report:

Had the state printer been allowed to print the laws of the extra session of 1878 in a separate volume, as was required by the then existing law of the state, the laws of the extra session would have cost the state about two thousand dollars, and the printer would have made a profit on the work of about twelve hundred dollars.

This profit being on account of the smallness of the volume and the large number to be furnished, and the volume would have been of less value to the state than it was as incorporated into the regular volume of laws.

As the printing at that time was being done at a very low price, your committee are of opinion that the state is in honor bound to make good to the state printer the amount he would have received as profit on the said work.

This we think is particularly the case, as comparatively few of the items of printing yield any profit to the printer, and as the state, after paying this amount, will still be the gainer [to the amount of several hundred dollars by this breach of equity with the printer].

We therefore report back the bill with the recommendation that it do pass, after its reference to committee on Claims.

Respectfully submitted,

S. S. FIFIELD,  
*Chairman Joint Committee on Printing.*

So ordered.

The committee on Judiciary, to whom was referred

No. 35, A.,

A bill to amend section 4451, chapter 182, revised statutes, entitled of offenses against property,

No. 71, A.,

A bill to legalize assignments of tax certificates made by any county in this state to any town therein, and to validate the deed given to the assignees of such town by virtue of such certificates,

No. 128, A.,

A bill to authorize the city of Beaver Dam to issue bonds to build a city hall,

No. 139, A.,

A bill to amend section 2525 of chapter 116 of the revised statutes, entitled of jurors,

No. 154, A.,

A bill to legalize the acts of the supervisors of Monroe county in paying bounties for the destruction of foxes,

Have had the same under consideration, and have instructed me to report the same back with the recommendation that they be concurred in.

No. 135, A.,

A bill to amend subdivision 2, section 339, chapter 20, of the revised statutes of 1878, entitled of public printing,

With the recommendation that it be recommitted to the committee on Agriculture.

No. 183, S.,

A bill relating to the equalization of assessments,

With the recommendation that it do pass.

J. A. KELLOGG,  
*Chairman pro tem.*

So ordered as to No. 135, A.

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The committee on Enrolled Bills have examined, and find correctly enrolled:

No. 99, S.,

A bill to appropriate a sum of money therein named,

No. 110, S.,

A bill to authorize Henry L. Stout, John H. Douglas, William Wilson, John H. Knapp, Andrew Tainter, Thos. B. Wilson, their associates and assigns, to erect and maintain a dam across Hemlock creek, in Barron county, on land owned by the Knapp, Stout & Co. Company,

No. 122, S.,

A bill in relation to the apportionment of certain school moneys to district No. 3, of the town of Mequon, in the county of Ozaukee, for the year 1880,

No. 112, S.,

A bill to authorize John H. Knapp, Andrew Tainter, Thomas B. Wilson, Henry L. Stout, William Wilson and John H. Douglas, their associates, successors and assigns, to construct and maintain a

dam across Hemlock creek, in Chippewa county, on lands owned by the Knapp, Stout & Co. Company,

No. 72, S.,

A bill authorizing the towns of Sigel and Flambeau, in Chippewa county, Wisconsin, to levy a special tax for the purpose of paying off certain bonds, and empowering the board of supervisors of Chippewa county to adjust the indebtedness of said towns,

No. 61, S.,

A bill to appropriate to the Institution for the Education of the Deaf and Dumb the sum of fourteen thousand dollars, to meet the current expenses of the institution up to March 1, 1880,

No. 59, S.,

A bill to appropriate to the Institution for the Education of the Blind a sum of money therein named, and for other purposes,

No. 43, S.,

A bill to authorize the superintendent of public property to furnish stationery and postage stamps to the employes of the senate and assembly, and to make an appropriation therefor.

W. T. PRICE,  
*Chairman pro tem.*

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The committee on Roads and Bridges, to whom was referred

No. 131, S.,

A bill to vacate a portion of a certain state road in the county of Dane,

Have had the same under consideration, and have instructed me to report the same back with the recommendation that it do pass.

J. B. BENNETT,  
*Chairman.*

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The committee on Engrossed Bills have examined and find correctly engrossed:

No. 46, S.,

A bill relating to the payment of fees upon settlement of estates of deceased persons in the county of Milwaukee, and amendatory of section 2483 of the revised statutes of 1878,

No. 53, S.,

A bill fixing the time when wild deer may be taken in the counties of Ashland, Bayfield and Douglas,

No. 58, S.,

A bill relative to assessments for water pipes in the city of Milwaukee, and amendatory of sections 15, 16 and 17, of chapter 10 of chapter 184 of the laws of 1874,

No. 90, S.,

A bill to appropriate to the Industrial School for Boys a certain sum of money for current expenses,

No. 116, S.,

A bill to amend section 1926, chapter 89 of the revised statutes of 1878, entitled of insurance corporations,

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No. 129, S.,

A bill to amend chapter 22 of the revised statutes of 1878, entitled of the distribution of public documents,

No. 134, S.,

A bill to amend chapter 231 of the laws of 1876, entitled an act to amend and re-enact, as amended, chapter 333 of the laws of 1875, entitled an act to amend chapter 16 of the private and local laws of 1872, entitled an act to incorporate the city of Eau Claire so as to authorize the construction of water works by and for said city,

No. 139, S.,

A bill to amend section 5 of chapter 51 of the general laws of 1866, entitled an act to authorize the use of money arising from the sale of certain swamp and overflowed lands in the counties of Manitowoc and Calumet, for drainage and other purposes, and to amend chapter 537 of the laws of 1865, relating thereto,

No. 141, S.,

A bill to authorize the commissioners of public lands to loan a portion of the state funds to the town of Loraine, in the county of Polk,

No. 225, S.,

A bill in relation to fences, and to amend section 1391 of the revised statutes of 1878,

No. 55, S.,

A bill to amend the articles of association of the Chicago, Milwaukee & St. Paul Railway Company.

GEO. W. RYLAND,  
*Chairman.*

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#### REPORTS OF SELECT COMMITTEES.

The special committee to whom was referred

No. 223, S.,

A bill relating to and amendatory of the charter of the city of Portage,

Have had the same under consideration, and have instructed me to report the same back with recommendation that it be printed and recommitted to committee on Town and County Affairs.

CHAS. L. DERING,  
*Committee.*

So ordered.

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The select committee consisting of the senators from Milwaukee county, to whom was referred

No. 149, S.,

A bill to preserve and promote the public health in the city of Milwaukee,

Have had the same under consideration, and respectfully report

the same back with amendments, and recommend its passage when so amended.

GEO. H. PAUL,  
EDWIN HYDE,  
I. W. VAN SCHAICK,  
*Committee.*

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The special committee to whom was referred  
No. 167, S.,

A bill to consolidate and amend an act entitled an act to incorporate the city of Madison, and the several acts amendatory thereof,

Have had the same under consideration, and report it back with the recommendation that it be recommitted to the Dane County Delegation and ordered printed.

G. B. BURROWS,  
*Committee.*

So ordered.

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#### MESSAGE FROM THE ASSEMBLY.

By J. E. ELDRED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has passed, and asks the concurrence of the senate in,

No. 31, A.,

A bill to provide for the individual liability of stockholders in banks and banking associations,

No. 42, A.,

A bill to amend section 602 of the revised statutes, relating to the government of the Wisconsin Hospital for the Insane,

No. 64, A.,

A bill to authorize the commissioners of public lands to loan a portion of the trust funds of the state to the city of Chippewa Falls, Chippewa county,

No. 160, A.,

A bill to provide for service of process upon transportation companies, and the appointment of an attorney therefor within this state,

No. 94, A.,

A bill providing for the disposal of redemption money remaining in the hands of county clerks more than six years,

No. 161, A.,

A bill to preserve the fish in Elkhart lake, Sheboygan county,

No. 179, A.,

A bill to amend sections 2489, 2490 and 2498 of the revised statutes of 1878, relative to the municipal court of the city and town of Ripon,

No. 181, A.,

A bill to amend section 3725 of chapter 158 of the revised statutes of 1878, relating to proceedings in garnishment,

No. 188, A.,

A bill to provide for laying out a state road from the town of Preble, Brown county, to the town of Casco, Kewaunee county,

No. 230, A.,

A bill relating to and amendatory of section 2216 of chapter 100 of revised statutes of 1878, entitled of conveyances, etc.,

No. 250, A.,

A bill to amend chapter 48 of the laws of Wisconsin for the year 1875, entitled an act to authorize the parties therein named, their heirs or assigns, to build and maintain certain booms upon the river and lake St. Croix,

No. 259, A.,

A bill to amend chapter 5, section 46 of the revised statutes of 1878, entitled of county canvass,

No. 269, A.,

A bill to amend subdivision 8 of section 461 of the revised statutes, relating to inspection districts and the examination of teachers,

No. 326, A.,

A bill to amend section 4071 of chapter 175 of the revised statutes of 1878, relating to testimony of defendant in criminal actions,

No. 185, A.,

A bill relating to and amendatory of section 1938 of chapter 89, revised statutes of 1878, entitled of insurance companies,

No. 223, A.,

A bill to legalize the acts of the Linden Town Mutual Fire Insurance Company in Iowa county,

No. 328, A.,

A bill to authorize the commissioners of public lands to loan a portion of the trust funds of the state to the county of Brown,

No. 341, A.,

A bill relating to an act to authorize R. D. Shelsweek to build a pier extending into the waters of Lake Michigan, and amendatory of section 1 of chapter 29 of the laws of 1879,

No. 351, A.,

A bill to legalize the action of the Manitowoc Rapids Mutual Fire Insurance Company,

No. 356, A.,

A bill relating to justices of the peace, and amendatory of section 86 of chapter 40 of the revised statutes,

No. 357, A.,

A bill to amend subdivision c of section 1946 of chapter 89, revised statutes of 1878, entitled of insurance corporations,

No. 382, A.,

A bill relating to embezzlement, and to amend section 4667 of the revised statutes,

M. C. No. 16, A.,

Memorial to congress for a national law to protect the fishing interests in fresh water lakes and their tributaries,

No. 17, A.,

A bill to appropriate to David Wetherby and William James a sum of money therein named,

No. 112, A.,

A bill to discontinue a portion of the state road running through the counties of Racine, Walworth and Rock, state of Wisconsin, lying in the town of Fulton, Rock county, aforesaid,

No. 248, A.,

A bill authorizing justices of the peace, elected in the town of Lisbon, Juneau county, to keep an office and to perform their duties in any part of the village of New Lisbon, Juneau county,

No. 301, A.,

A bill to authorize Thos. J. La Flesh, his associates and assigns, to build and maintain certain dams on the east fork of Black river, in the counties of Wood, Clark and Jackson,

No. 286, A.,

A bill to authorize Abel Neff to build and maintain a dam on Prairie river,

And has amended, and concurred in as amended,

No. 73, S.,

A bill to create the Kewaunee Harbor Commission and define their duties,

No. 15, S.,

A bill to authorize James McCrossen and others to build a dam across and otherwise improve Spirit river, in Lincoln county, Wisconsin,

No. 109, S.,

A bill to authorize William Wilson, Andrew Tainter, John H. Knapp, Henry L. Stout, Thos. B. Wilson and John H. Douglas, their associates, successors and assigns, to construct and maintain a dam across Hay river in Barron county, on lands owned by the Knapp, Stout & Co. Company,

No. 177, S.,

A bill to authorize John H. Knapp, Henry L. Stout, Andrew Tainter, William Wilson, Thomas B. Wilson and John H. Douglas, their associates, successors and assigns, to erect and maintain a dam across the Red Cedar river, on lands owned by the Knapp, Stout & Co. Company,

No. 30, S.,

A bill to authorize A. D. Lunt and Peter Musser to build a dam across and otherwise improve Elk river, in Price county, for log driving purposes,

No. 85, S.,

A bill to authorize the commissioners of public lands to loan a portion of the trust funds of the state to the town of Shullsburg, in La Fayette county,

And has refused to concur in

No. 41, S.,

A bill to amend chapter 141, laws of 1879, entitled an act to amend section 121, chapter 10, revised statutes of 1878, in relation to the distribution of blue books.

And has concurred with the senate in

No. 23, S.,

A bill to amend sections 3875 and 3878 of the revised statutes of 1878, relating to the sale of lands by executors and administrators,

No. 66, S.,

A bill to extend the time limited in chapter 281, private and local laws of 1870, entitled an act to authorize Diedrich Van Holan to keep and maintain a ferry across the St. Croix river,

No. 84, S.,

A bill to legalize the official acts of Alois Neuburg, a justice of the peace in the county of La Crosse,

No. 71, S.,

A bill to legalize the acts of L. S. Rolleston, county clerk in and for the county of Columbia,

No. 120, S.,

A bill to authorize the Hamburg Town Fire Insurance Company to reinsure the Vernon County Scandinavian Mutual Insurance Company,

No. 108, S.,

A bill to authorize the justices of the peace elected in the several wards of the city of Plymouth, to keep an office and perform their duties in any part of said city,

No. 188, S.,

A bill authorizing the Chicago, St. Paul & Minneapolis Railway Company to abandon, under certain conditions, that portion of its railway lying between North Wisconsin Junction and the St. Croix Lake,

No. 48, S.,

A bill to amend section 4415, revised statutes 1878, relating to punishment for larceny,

No. 114, S.,

A bill to authorize Thos. B. Scott to build a dam or dams on Prairie river, in Lincoln county, Wisconsin,

No. 160, S.,

A bill to authorize A. E. Sawyer, David Austin and Richard Dewhurst to build and maintain a dam across Black river,

No. 187, S.,

A bill to legalize the action of the board of supervisors of the county of Polk, in setting off and creating the town of Georgetown, in said county,

No. 200, S.,

A bill to amend chapter 58 of the private and local laws of 1859, entitled an act to incorporate the Madison Gymnastic Association,

No. 213, S.,

A bill to amend chapter 3 of chapter 72 of the private and local laws of 1858, entitled an act to incorporate the city of Ripon,

No. 27, S.,

A bill to amend section 4771 of the revised statutes of 1878, in relation to security of costs in criminal cases.

## ASSEMBLY MESSAGE CONSIDERED.

Nos. 31 and 185, A.,  
Were referred to the committee on Finance, Banks and Insurance.

Nos. 64, 161 and 328, A.,  
Were referred to the committee on State Affairs.

Nos. 160, 179, 181, 230, 259, 326, 223, 248, 351, 356, 357 and 382, A.,  
Were referred to the Judiciary committee.

No. 94, A.,  
Was referred to committee on Town and County Affairs.

Nos. 188 and 112, A.,  
Were referred to the committee on Roads and Bridges.

Nos. 250, 301, 286 and 341, A.,  
Were referred to the committee on Incorporations.

No. 269, A.,  
Was referred to the committee on Education.

Nos. 42 and 17, A.,  
Were placed on the General File.

M. C. No. 16, A.,  
Was referred to the committee on Federal Relations.

The assembly amendments to  
Nos. 15, 109, 177, 30 and 73, S.,  
Were concurred in.

The senate refused to concur in the assembly amendments to  
No. 85, S.

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On motion of Senator Burrows, the vote by which  
No. 132, A.,  
Was indefinitely postponed, was reconsidered, and the bill was  
recommitted to the Judiciary committee.

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## BILLS READY FOR A THIRD READING.

No. 14, A.,  
A bill to restore criminal jurisdiction to the county court of Winnebago county.

No. 65, A.,  
A bill to amend section 5 of chapter 76 of the private and local laws of Wisconsin, passed in the year 1868, entitled an act to consolidate Union School District No. 1, in the city of Beloit, joint with the towns of Beloit and Turtle, and Union School District No. 2, of the city of Beloit, joint with the town of Beloit, and for the formation of Beloit city school district,

No. 89, A.,  
A bill to legalize the acts of Geo. R. Mahoney, Henry P. Fischer and H. J. L. Meyer, deputy clerks of the city of Milwaukee,

No. 90, A.,  
A bill relating to the assessment and collection of highway taxes,

and amending subdivision 2 of section 1240 of chapter 52 of the revised statutes,

No. 167, A.,

A bill to amend chapter 166 of the private and local laws of 1854, entitled an act to incorporate the German and English academy in the city of Milwaukee, and to repeal an act to incorporate the Anglo-German academy in the city of Milwaukee, approved July 3, 1853,

No. 311, A.,

A bill to fix the salary of the chief of police in the city of Milwaukee, and to prohibit police and other officers of said city from receiving witness fees in certain cases,

Were severally read a third time and concurred in.

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### BILLS ON THEIR THIRD READING.

No. 46, A.,

A bill to amend subdivision 4 of section 670 of the revised statutes, relating to bounty on wild animals,

Was ordered to a third reading.

The amendments to

No. 152, A.,

A bill to authorize the county of Outagamie to borrow money,

Were adopted, and the bill was ordered to a third reading.

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### BILLS ON THEIR ENGROSSMENT AND THIRD READING.

No. 196, S.,

A bill to improve Hay creek, a branch of the Eau Claire river, in the county of Clark, for driving logs out of said creek,

Was ordered engrossed and read a third time.

The amendments to

No. 67, S.,

A bill to provide for the appointment of a register of probate of the county court of Milwaukee county, and for other purposes,

No. 111, S.,

A bill to authorize A. B. McDonnell, his associates and assigns, to build and maintain a dam across, and otherwise improve, Pine creek, in Price county, Wisconsin,

No. 239, S.,

A bill to authorize mutual hail insurance companies of other states to do business in this state,

Were adopted, and the bills were severally ordered engrossed and read a third time.

No. 29, S.,

A bill to amend chapter 34 of the revised statutes, entitled of militia and the act amendatory thereof, and to provide for the greater efficiency of the Wisconsin National Guard,

No. 172, S.,

A bill to amend section 1797 of the revised statutes, in relation to the salary of the clerk of the railroad commissioner,

No. 250, S.,

A bill to amend section 129 of chapter 11 of the revised statutes, entitled of the state officers,

Were severally recommitted to the committee on Claims.

No. 175, S.,

A bill construing section 1210 e of the revised statutes of 1878, entitled of taxation,

Was recommitted to the committee on Judiciary.

No. 192, S.,

A bill to amend chapter 171 of the private and local laws of 1868, entitled an act to incorporate the Wisconsin River Improvement Company, and to amend chapter 298 of the laws of 1876, amendatory thereof,

Was recommitted to the committee on Incorporations.

No. 262, S.,

A bill to regulate the disbursement of public money in certain cases, and prescribing penalties for misappropriation thereof,

Was laid over until Thursday.

No. 124, S.,

A bill to amend section 1 of chapter 251 of the laws of 1879, entitled of insurance corporations,

No. 251, S.,

A bill to amend section 422 of the revised statutes, relating to the alteration of school districts,

Were severally indefinitely postponed.

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On motion of Senator Weaver,  
The senate adjourned.

WEDNESDAY, FEBRUARY 25, 1880.

10 o'CLOCK A. M.

The senate met.

The president in the chair.

Prayer by the Rev. Mr. Richards.

The roll was called, and the following senators answered to their names:

Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Grimmer, Hyde, Kellogg, Kelly, McFetridge, McGrew, Morgan, Paul, Price, Quarles, Rankin, Ryland, Sacket, Scott, Smith, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman.

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#### LETTERS, PETITIONS, Etc.

Presented and referred:

By Senator McGrew:

Pet. No. 149, S.,

Of Wm. C. Meffert, W. H. Jones and 37 other citizens of Arena, Iowa county, against the passage of any law taxing property used for religious, charitable and benevolent purposes.

To committee on Charitable and Penal Institutions.

By Senator Van Schaick:

Pet. No. 150, S.,

Of John Fath, J. Mack, Trostel & Gallun and 22 others against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Van Schaick:

Pet. No. 151, S.,

Of S. Thal, Jas. Gerstner and son, Chas. Sontag and 22 others against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

**By Senator Van Schaick:**

Pet. No. 152, S.,

Of Goll & Frank, H. L. Fellows, F. W. Inbusch and 22 others against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

**By Senator Van Schaick:**

Pet. No. 153, S.,

Of J. Anneke, A. J. Hayes, John C. Gebhard and 22 others against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

**By Senator Van Schaick:**

Pet. No. 154, S.,

Of E. P. Allis & Co., Chas. Waldo, J. D. Millar and another against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

**By Senator Van Schaick:**

Pet. No. 155, S.,

Of David M. Brown, Newell Daniels, D. F. Brown and 22 others against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

**By Senator Van Schaick:**

Pet. No. 156, S.,

Of Arthur Holbrook, Davenport Fisher, G. W. Mitchell and 17 others against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

**By Senator Smith:**

Pet. No. 157, S.,

Of J. H. Mead, A. Tiesler, E. H. Blome and 41 others against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

**By Senator McFetridge:**

Pet. No. 158, S.,

Of R. Sauerhering, Chas. Barwing and others against the passage of senate bill No. 253.

To committee on Finance, Banks and Insurance.

**By Senator Rankin:**

Pet. No. 159, S.,

Of C. Luling and others against the passage of senate bill No. 253.

To committee on Finance, Banks and Insurance.

By Senator Van Schaick:

Pet. No. 160, S.,

Of R. C. Spencer relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Carter:

Pet. No. 161, S.,

Of John Heartel, John Cole and others of Unity, Clark county, in favor of the erection of the county of Webster.

To committee on Town and County Affairs.

By Senator Carter:

Pet. No. 162, S.,

Of W. H. Kiltz, W. J. Hubbard and others of the town of Unity, Clark county, in favor of the erection of the county of Webster.

To committee on Town and County Affairs.

By Senator Carter:

Pet. No. 163, S.,

Of Henry Clifford, James Watson and others of the town of Unity, Clark county, in favor of the erection of Webster county.

To committee on Town and County Affairs.

By Senator Carter:

Pet. No. 164, S.,

Of O. M. Brown, W. J. Barber and others of the town of Unity, Clark county, in favor of the erection of Webster county.

To committee on Town and County Affairs.

By Senator Carter:

Pet. No. 165, S.,

Of H. Klime, Chas. Hagan and others of town of Mayville, Clark county, in favor of the erection of Webster county.

To committee on Town and County Affairs.

By Senator Kellogg:

Pet. No. 166, S.,

Of H. C. Ranson, Peter Calian and others of the town of Brighton, Marathon county, in favor of the erection of Webster county.

To committee on Town and County Affairs.

By Senator Kellogg:

Pet. No. 167, S.,

Of F. H. Darling, J. H. Cook and others, of Brighton, Marathon county, in favor of the erection of Webster county.

To committee on Town and County Affairs.

By Senator Kellogg:

Pet. No. 168, S.,

Of George F. Dailey, in favor of the erection of the county of Webster.

To committee on Town and County Affairs.

By Senator Kellogg:

Pet. No. 169, S.,

Of W. Woodruff, S. A. Cook and others of the town of Brighton, Marathon county, in favor of the erection of the county of Webster.

To committee on Town and County Affairs.

By Senator Dering:

Pet. No. 170, S.,

Of Isaac Cleggett against the creation of a new county on the line of the Wisconsin Central Railroad.

To committee on Town and County Affairs.

By Senator Dering:

Pet. No. 171, S.,

Of Andrew Larson and others against the passage of the act to organize a new county on the line of the Wisconsin Central Railroad.

To committee on Town and County Affairs.

By Senator Dering:

Pet. No. 172, S.,

Of Louis Jordemann and others against the passage of a bill to erect a new county on the line of the Wisconsin Central Railroad.

To committee on Town and County Affairs.

By Senator Price:

Pet. No. 173, S.,

Of J. M. McCann and 4 others against the erection of the county of Webster.

To committee on Town and County Affairs.

By Senator Price:

Pet. No. 174, S.,

Of W. H. Mead and 40 others against the erection of the county of Webster.

To committee on Town and County Affairs.

By Senator Price:

Pet. No. 175, S.,

Of Albert Salsbury and 15 others against the erection of the county of Webster.

To committee on Town and County Affairs.

By Senator Price:

Pet. No. 176, S.,

Of Fred. J. Sheldon and 33 others against the erection of the county of Webster.

To committee on Town and County Affairs.

By Senator Price:

Pet. No. 177, S.,

Of William Jerald and 13 others against the erection of the county of Webster.

To committee on Town and County Affairs.

By Senator Price:

Pet. No. 178, S.,

Of E. Mack and 15 others against the erection of the county of Webster.

To committee on Town and County Affairs.

By Senator Price:

Pet. No. 179, S.,

Of John Smart and Robert Fish against the erection of the county of Webster.

To committee on Town and County Affairs.

By Senator Price:

Pet. No. 180, S.,

Of C. Castle, R. M. Benson and 39 others against the erection of the county of Webster.

To committee on Town and County Affairs.

By Senator Price:

Pet. No. 181, S.,

Of Tom Thompson and 17 others against the erection of the county of Webster.

To committee on Town and County Affairs.

By Senator Morgan:

Pet. No. 182, S.,

Of John Schroeder, Jr., Wm. J. Le Court, C. E. Wheelock, F. S. Cook, C. H. Cox, Wm. George and 17 others against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Morgan:

Pet. No. 183, S.,

Of E. M. Rogers, R. S. Kneeland, A. B. Barney, F. P. Wilmot, L. Larburstia, John H. Nauscower and 20 others against the passage of any bill changing the existing laws relating to taxation of life insurance companies.

To committee on Finance Banks and Insurance.

By Senator Morgan:

Pet. No. 184, S.,

Of H. H. Wheelock, Dwight Jackson, Chas. Westbracht, Chas. F. Lohr, J. O. Kendall, M. French and 11 others against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Morgan:

Pet. No. 185, S.,

Of E. L. Zimmerman, Chas. E. Wing and others against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Morgan:

Pet. No. 186, S.,

Of Adam Frey, E. W. McPherson and others against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

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### REPORTS OF COMMITTEES.

The committee on Public Lands, to whom was referred  
No. 145, S.,

A bill in relation to swamp lands in the counties of Marathon, Chippewa, Clark, Shawano, Oconto and Marinette.

Have had the same under consideration, and have directed me to report it back with an amendment and recommend its passage when so amended.

Senator Chipman dissenting.

W. E. CHIPMAN,  
*Chairman.*

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The committee on Railroads, to whom was referred  
No. 83, S.,

A bill relating to railroads, and to amend section 1839 of the revised statutes, in relation to execution and recording of conveyances of railroad corporations,

Report the same back with the recommendation that it be indefinitely postponed.

No. 169, S.,

A bill to amend section 1735 of the revised statutes, relating to corporations,

With the recommendation that it do pass.

No. 133, S.,

A bill to authorize W. F. Bailey, Geo. W. Mason, R. J. Kepler and A. S. Dodge, and their associates and assigns, to build and maintain a bridge over and across the Chippewa river,

No. 189, S.,

A bill to grant sixty days additional time to the North Wisconsin Railway Company for the completion of a portion of its railway, and to confer on aforesaid company the optional right therein mentioned,

Report them back with amendment and recommend their passage when so amended.

No. 39, S.,

A bill to promote the development of the unsettled portions of northern Wisconsin and to encourage the building of railroads therein,

With the recommendation that it do pass.

Senator Sacket dissenting.

H. S. SACKET,  
*Chairman.*

On motion of Senator Van Schaick,  
No. 39, S.,

Was recommitted to committee on Railroads.

On motion of Senator Rankin,  
No. 169, S.,

Was recommitted to the committee on Railroads.

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The committee on Judiciary, to whom was referred  
No. 228, S.,

A bill to amend chapter 407 of the private and local laws of 1868, entitled an act to enable the city of Kenosha to readjust and fund its indebtedness,

Have had the same under consideration, and report the same back with the recommendation that it do pass.

No. 104, S.,

A bill to regulate the recovery of costs and fees in certain cases from counties,

No. 176, S.,

A bill to repeal section 4073 of chapter 176 of the revised statutes, entitled of evidence,

With the recommendation that the same be indefinitely postponed.

J. A. KELLOGG,  
*Chairman pro tem.*

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The committee on Incorporations, to whom was referred  
No. 240, S.,

A bill to amend chapter 89, laws of 1877, entitled an act to incorporate the city of Chilton,

Have had the same under consideration, and report the same back with the recommendation that it do pass.

GEO. GRIMMER,  
*Chairman.*

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The committee on Town and County Affairs, to whom was referred

No. 84, A.,

A bill in relation to fees of sheriffs, and amendatory of subdivisions 7 and 33 of section 731 of the revised statutes,

No. 292, A.,

A bill to amend chapter 179 of the laws of 1879, entitled an act relating to the charter of the city of Portage, and amendatory of chapter 122 of the laws of 1876,

Have had the same under consideration, and instruct me to report the same back with the recommendation that they be concurred in.

CHAS. L. DERING,  
*Chairman.*

## REPORTS OF SELECT COMMITTEES.

The special committee to whom was referred  
No. 203, S.,

A bill to authorize the counties, towns, cities and school districts  
of this state to purchase the work therein named,

Have had the same under consideration, and report it  
back with the recommendation that it be recommitted to commit-  
tee on Town and County Affairs, and printed.

S. S. FIFIELD,  
*Committee.*

So ordered.

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The joint special committee to whom was referred the memorial  
of the pioneer association of Wisconsin, adopted July 16, 1879,  
have had said memorial under consideration, and report back the  
same by bill, and recommend the passage of the bill, and its refer-  
ence to the committee on Claims.

JOHN W. BLACKSTONE,  
*Chairman.*

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## MESSAGE FROM THE ASSEMBLY.

By J. E. ELDRED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has refused to  
concur with the senate in

Jt. Res. No. 15, S.,

Requesting our senators and representatives in congress to vote  
for the prompt passage of the pending bill in congress to abolish or  
reduce the tax on imported printing paper.

And has concurred with the senate in senate amendments to

Jt. Res. No. 26, A.,

Providing for firing a salute in honor of the memory of George  
Washington.

And has receded from its amendment to

No. 85, S.,

A bill to authorize the commissioners of public lands to loan a  
portion of the trust funds of the state to the town of Shullsburg,  
in La Fayette county.

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## BILLS READY FOR A THIRD READING.

No. 46, S.,

A bill relating to the payment of fees upon settlement of estates  
of deceased persons in the county of Milwaukee, and amendatory  
of section 2483 of the revised statutes of 1878,

1007

No. 53, S.,

A bill fixing the time when wild deer may be taken in the counties of Ashland, Bayfield and Douglas,

No. 55, S.,

A bill to amend the articles of association of the Chicago, Milwaukee & St. Paul Railway Company.

*Prest. pro tem.* Scott took the chair.

No. 58, S.,

A bill relative to assessments for water pipes in the city of Milwaukee, and amendatory of sections 15, 16 and 17 of chapter 10 of chapter 184 of the laws of 1874,

No. 116, S.,

A bill to amend section 1926, chapter 89 of the revised statutes of 1878, entitled of insurance corporations,

No. 129, S.,

A bill to amend chapter 22 of the revised statutes of 1878, entitled of the distribution of public documents,

No. 134, S.,

A bill to amend chapter 231 of the laws of 1876, entitled an act to amend and re-enact, as amended, chapter 333 of the laws of 1875, entitled an act to amend chapter 16 of the private and local laws of 1872, entitled an act to incorporate the city of Eau Claire so as to authorize the construction of water works by and for said city,

No. 139, S.,

A bill to amend section 5 of chapter 51 of the general laws of 1866, entitled an act to authorize the use of money arising from the sale of certain swamp and overflowed lands in the counties of Manitowoc and Calumet, for drainage and other purposes, and to amend chapter 537 of the laws of 1865, relating thereto,

No. 141, S.,

A bill to authorize the commissioners of public lands to loan a portion of the state funds to the town of Lorraine, in the county of Polk,

No. 225, S.,

A bill in relation to fences, and to amend section 1391 of the revised statutes of 1878,

Were severally read a third time and passed.

No. 90, S.,

A bill to appropriate to the Industrial School for Boys a certain sum of money for current expenses,

Was read a third time and passed.

The ayes and noes being required, it was decided in the affirmative; ayes, 27; noes, none; not voting, 6.

The vote was as follows:

*Ayes* — Senators Anderson, Bennett, Carter, Chipman, Dering, Fifield, Griffin, Grimmer, Hyde, Kellogg, Kelly, McFetridge, McGrew, Morgan, Paul, Price, Quarles, Rankin, Ryland, Sacket, Scott, Smith, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman — 27.

*Noes* — None.

*Not voting* — Senators Blackstone, Burrows, Haben, Houghton, Richardson and Sutherland — 6.

No. 46, A.,

A bill to amend subdivision 4 of section 670 of the revised statutes, relating to the bounty on wild animals,

No. 152, A.,

A bill to authorize the county of Outagamie to borrow money,  
Were severally read a third time and concurred in.

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### BILLS ON THEIR THIRD READING.

No. 17, A.,

A bill to appropriate to David Wetherby and William James a sum of money therein named,

No. 33, A.,

A bill to authorize Chas. W. Hanson to build and maintain a dam across, and otherwise improve, Christmas creek, in Chippewa county, Wisconsin,

No 42, A.,

A bill to amend section 602 of the revised statutes, relating to the government of the Wisconsin Hospital for the Insane,

No. 51, A.,

A bill to amend the charter of the city of Watertown,

No. 128, A.,

A bill to authorize the city of Beaver Dam to issue bonds to build a city hall,

No. 154, A.,

A bill to legalize the acts of the supervisors of Monroe county in paying bounties for the destruction of foxes,

No. 189, A.,

A bill authorizing the city of Racine to pay an increased salary to the harbor master and bridge tenders of said city,

No. 258, A.,

A bill to authorize Atley Peterson and Peter Hooverson, their associates and assigns, to construct and maintain a dam across the Kickapoo river, on lands owned by them,

No. 291, A.,

A bill to amend chapter 162 of the laws of 1877, entitled an act to incorporate the city of New London,

No. 323, A.,

A bill to amend an act entitled an act to incorporate the city of Oconto, approved March 11, 1869, and the acts amendatory thereof,

No. 332, A.,

A bill to amend section 14 of chapter 104 of the private and local laws of 1870, entitled an act to authorize the city of Oconto to extend and maintain a pier into the waters of Green Bay,

No. 342, A.,

A bill to authorize K. A. Ostergreen and his associates to construct and maintain a dam and booms on the Spirit river, in the county of Lincoln,

No. 360, A.,

A bill to authorize Gus. A. Dreutzer to build a pier into the waters of Green Bay,

Were severally ordered to a third reading.

The amendments to

No. 73, A.,

A bill to allow Gustavus Werlick, his associates and assigns, to erect and maintain a dam and boom and to otherwise improve Big Rib river, in Marathon county,

No. 162, A.,

A bill to authorize Louis Vincent and others, their associates and assigns, to build and maintain piers in the Chippewa river, at places therein named,

Were adopted, and the bills were ordered to a third reading.

No. 71, A.,

A bill to legalize assignments of tax certificates made by any county in this state to any town therein, and to validate the deeds given to the assignees of such town by virtue of such certificates,

No. 139, A.,

A bill to amend section 2525 of chapter 116 of the revised statutes, entitled of jurors,

Were severally recommitted to the Judiciary committee.

No. 3, A.,

A bill to repeal sections 1623, 1624 and 1625 of chapter 72 of the revised statutes, entitled of dogs and wild animals,

Was ordered to a third reading.

On motion of Senator Fifield,

The rules were suspended, and the bill was read a third time and concurred in.

The ayes and noes being demanded, it was decided in the affirmative: ayes, 19; noes, 7; not voting, 7.

The vote was as follows:

*Ayes* — Senators Anderson, Bennett, Chipman, Fifield, Hyde, Kellogg, Kelly, McGrew, Morgan, Paul, Quarles, Rankin, Ryland, Sacket, Scott, Smith, Thomas, Van Steenwyk and Woodman — 19.

*Noes* — Senators Carter, Dering, Griffin, Grimmer, McFetridge, Price and Weaver — 7.

*Not Voting* — Blackstone, Burrows, Carter, Haben, Houghton, Richardson and Sutherland — 7.

No. 35, A.,

A bill to amend section 4451, chapter 182, revised statutes, entitled of offenses against property.

Senator Kelly moved to indefinitely postpone the bill.

Senator Anderson offered the following amendment:

Amend by striking out the words "mischievously or" and insert the word "or" between words willfully and mischievously.

The amendment was lost.

The ayes and noes being demanded, it was decided in the negative: ayes, 10; noes, 18; not voting, 5.

The vote was as follows:

*Ayes* — Senators Anderson, Hyde, Kelly, Paul, Rankin, Smith, Thomas, Van Steenwyk, Weaver and Woodman — 10.

*Noes* — Senators Bennett, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Grimmer, Kellogg, McFetridge, McGrew, Morgan, Price, Quarles, Ryland, Sacket, Scott and Van Schaick — 18.

*Not voting* — Senators Blackstone, Haben, Houghton, Richardson and Sutherland — 5.

The question being on the motion of Senator Kelly to indefinitely postpone the bill,

The ayes and noes being demanded, it was decided in the negative: ayes, 12; noes, 15; not voting 6.

The vote was as follows:

*Ayes* — Senators Anderson, Bennett, Carter, Hyde, Kelly, Morgan, Paul, Rankin, Ryland, Smith, Van Schaick and Weaver — 12.

*Noes* — Senators Burrows, Chipman, Dering, Griffin, Grimmer, Kellogg, McFetridge, McGrew, Price, Quarles, Sacket, Scott, Thomas, Van Steenwyk and Woodman — 15.

*Not voting* — Senators Blackstone, Fifield, Haben, Houghton, Richardson and Sutherland — 6.

The bill was then ordered to a third reading.

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#### BILLS ON THEIR ENGROSSMENT AND THIRD READING.

No. 131, S.,

A bill to vacate a portion of a certain state road in the county of Dane,

No. 183, S.,

A bill relating to the equalization of assessments,

Were severally ordered engrossed and read a third time.

The amendments to

No. 149, S.,

A bill to preserve and promote the public health in the city of Milwaukee,

No. 246, S.,

A bill to authorize Joseph S. Wilson, his associates and assigns, to construct and maintain a boom and piers in the Chippewa river in the city of Eau Claire,

Were adopted, and the bills were severally ordered engrossed and read a third time.

No. 171, S.,

A bill to fix a salary for sheriffs.

Senator Thomas offered the following amendment:

Amend by adding to section 3: "Provided further, that this act shall not apply to counties where the compensation of sheriffs is now fixed or limited by law."

The bill, with pending amendment was laid over till to-morrow.

No. 4, S.,

A bill to permit the boards of supervisors of counties to exempt their respective counties from the provisions of sections 1623, 1624 and 1625 of the revised statutes of 1878, providing for the taxation of dogs,

Was laid over until to-morrow.

No. 185, S.,

A bill for the division of the counties of Clark and Marathon, and for the erection of the county of Webster.

Senator Kellogg offered an amendment which was ordered printed, and the bill with pending amendment was recommitted to the committee on Town and County Organization.

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On motion of Senator Bennett,  
The senate adjourned.

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THURSDAY, FEBRUARY 26, 1880.

10 O'CLOCK A. M.

The senate met.

The president in the chair.

Prayer by the Rev. Mr. Richards.

The roll was called, and the following senators answered to their names:

Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Grimmer, Haben, Hyde, Kellogg, Kelly, McFetridge, McGrew, Morgan, Paul, Quarles, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman.

The journal of yesterday was approved.

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#### LEAVES OF ABSENCE.

Leave of absence was granted to Senators Fifield and Sutherland indefinitely.

To Senator Scott until Tuesday.

To Senator Paul until Monday evening.

## REPORTS OF COMMITTEES.

The committee on Engrossed Bills have examined and find correctly engrossed

No. 63, S.,

A bill relating to writs of mandamus and prohibition, and amendatory of section 3452 of the revised statutes of 1878,

No. 126, S.,

A bill to provide for laying out and establishing a road from Milwaukee to Port Washington,

No. 127, S.,

A bill to amend section 680 of the revised statutes of 1878, relating to claims against counties,

No. 136, S.,

A bill to authorize D. P. Simons, his associates and assigns, to construct and maintain a dam across and otherwise improve Butternut creek in Price county, Wisconsin,

No. 178, S.,

A bill to authorize Delos R. Moon, his associates or assigns, to improve Wolf river, a tributary of the north fork of the Eau Claire river, in the counties of Clark, Chippewa and Eau Claire,

No. 179, S.,

A bill to authorize Delos R. Moon, his associates or assigns, to improve Muskrat river, a tributary of the Eau Claire river, in the county of Eau Claire,

No. 180, S.,

A bill to authorize Delos R. Moon, his associates or assigns, to improve Otter creek, a tributary of Wolf river, in the counties of Clark and Chippewa,

No. 194, S.,

A bill to authorize the commissioners of public lands to loan a portion of the trust funds of the state to the county of Lincoln,

No. 218, S.,

A bill relating to the board of state canvassers, and amendatory of section 58 of chapter 5 of the revised statutes of 1878,

No. 221, S.,

A bill to amend section 731 of the revised statutes, relating to sheriffs' fees,

No. 226, S.,

A bill relating to fees and costs, and to amend the revised statutes of 1878,

GEO. W. RYLAND,  
*Chairman.*

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LETTERS, PETITIONS, Etc.

Presented and referred.

By Senator Scott:

Pet. No. 187, S.,

Of G. R. Gardiner and other citizens of Wood county against the passage of senate bill 253 and 241 assembly.

To committee on Finance, Banks and Insurance.

By Senator McFetridge:

Pet. No. 188, S.,

Of A. K. Stickney, Philip Reinhard, H. Miller and other residents of Lowell, Dodge county, against the passage of senate bill 253.

To committee on Finance, Banks and Insurance.

By Senator Carter:

Pet. No. 189, S.,

Of Aug. Grossenbach and 7 others, of the town of New Holstein, Calumet county, against the passage of No. 253, S., and 241, A.

To committee on Finance, Banks and Insurance.

By Senator Dering:

Pet. No. 190, S.,

Of J. E. Cronk and 25 others against the passage of No. 253, S., and No. 241, A.

To committee on Finance, Banks and Insurance.

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### RESOLUTIONS INTRODUCED.

By Senator Richardson:

Res. No. 26, S.,

*Resolved*, That the committee on State Affairs be and is hereby requested to report back with or without recommendation, joint resolution No. 10, A., for the action of the senate, and that it with No. 9, S., be made the special order for Wednesday next at 8 P. M.

The resolution was adopted.

The ayes and noes being demanded, it was decided in the affirmative: ayes, 19; noes, 10; not voting, 4.

The vote was as follows:

*Ayes* — Senators Anderson, Blackstone, Burrows, Chipman, Dering, Fifield, Griffin, Grimmer, Haben, Kellogg, McFetridge, McGrew, Richardson, Ryland, Scott, Thomas, Van Schaick, Van Steenwyk and Woodman — 19.

*Noes* — Senators Bennett, Carter, Hyde, Kelly, Morgan, Paul, Quarles, Sacket, Smith and Weaver — 10.

*Not voting* — Senators Houghton, Price, Rankin and Sutherland — 4.

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### REPORTS OF COMMITTEES.

The committee on Manufactures and Commerce, to whom was referred

No. 60, S.,

A bill to provide for the inspection of illuminating oils manufactured from petroleum or coal oils, and to regulate the sale thereof, and to repeal section 4359 of chapter 181, revised statutes of 1878,

No. 69, S.,

A bill regulating the inspection, sale and uses of illuminating oils from petroleum and other sources,

Have had the same under consideration, and have instructed me to report as follows:

The subject of the consumption of petroleum illuminating oils under such restrictions and conditions as shall secure the users thereof from more than the ordinary risk of life and destruction of property incidental to the general pursuits of every day and domestic life, has long been the study of the chemist, the scientist and the prudent legislator; and the statute books of many states as well as those of our own, bear witness to the almost universal effort to accomplish and establish this necessary security.

The law at present upon our statute book, section 4359, chapter 181, revised statutes, 1878, establishing a standard test for illuminating oils, regulating the sale thereof and enforcing the provisions of the same by certain penalties, has proved altogether inadequate to accomplish the purposes designed by its enactment — this the continual occurrence of destructive fires and fatal accidents in different parts of the state, in connection with the use of kerosene oil, abundantly proves, and we think demands at the hands of this legislature an enactment that will be adequate and competent to prevent these dangerous oils from being sold in our midst, and the incautious and unwary protected from a so dangerous and destructive agent as a low grade of kerosene oil unquestionably is.

Your committee find that good, safe, illuminating kerosene or petroleum oils can be provided for general consumption, and are so provided in adjoining states, to the exclusion of all unsafe oils; we also find that the cost of a good, safe oil, bearing a fire test of one hundred and fifty degrees, Fahrenheit, is but little greater than the less safe one hundred and ten fire test oils, while the purity and whiteness of the light is in favor of the one hundred and fifty degree oils.

We also find a large quantity of the kerosene oils consumed in this state are 150 degrees fire test oils, while oils of a higher standard still are very much called for by certain portions of the people. We also regret to say that the greatest proportion of the kerosene oils sold in our state, are of the low and dangerous grades, sold almost exclusively to the incautious and unwary among our people. But the lack of an efficient system of inspection of illuminating oils is without doubt a misfortune to our people; leaving them without any certain guaranty of the safe character of the illuminating oils offered them by retail as well as wholesale dealers in our markets.

This we feel it is the duty of the legislature to remedy, and establish such a system of inspection of illuminating oils as will be reliable and efficient.

We have examined bill No. 60, S., and bill No. 69, S., and in reference to bill No. 69, S., beg leave to report that we do not think it advisable to place the inspection of illuminating oils in the hands of a state inspector; neither do we advise the adoption of

the Michigan close cup tester, as provided in this bill, because it requires a supply of oil which is to be legitimately described as an "odd run of oil," because Michigan alone of the states adjoining our own calls for such a supply; and it is found that 120 degrees close cup flash test oil is about five degrees higher test in an open cup than the standard oils of Illinois and Iowa which are 150 degrees Fahrenheit fire test in an open cup.

We do not advise what is known as the "freezing test," used to determine the purity of illuminating oils. We think the safety of oils may reasonably be determined without this test; and while we allow that the purer the oil is the greater its safety will be, still it is generally admitted that oils which will stand a fire test of 150 degrees in an open cup, are safe oils. This is so, especially in the state of Michigan, where the flash test in a close cup is 120 degrees Fahrenheit — five degrees higher than the 150 degrees fire test, as the state inspector of illuminating oils reports for the six months ending December 31, 1879.

No lives have been lost in the state, during this term, from explosions, only four of which have occurred. We therefore recommend that bill No. 69, S., be indefinitely postponed, and report bill No. 60, S., back with amendments, and recommend its passage when so amended.

E. C. McFETRIDGE,  
*Chairman.*

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On motion of Senator Bennett,  
No. 60, S.,  
With pending amendments, was ordered printed.

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The committee on Town and County Affairs, to whom was referred

No. 158, A.,

A bill to amend section 1 of chapter 47 of the private and local laws of Wisconsin for the year 1872, entitled an act for the division of the borough of Fort Howard and the town of Lawrence, and the erection of the town of Ashwaubenon in Brown county,

Have had the same under consideration, and have instructed me to report the same back with the recommendation that it be concurred in.

CHAS. L. DERING,  
*Chairman.*

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The committee on Judiciary, to whom was referred  
No. 77, S.,  
A bill to promote good order and repress crime,

No. 210, S.,

A bill to amend subdivision 3 of section 2586 of the revised statutes of 1878, relating to admissions to the bar,

Have had the same under consideration, and have instructed me to report the same back with the recommendation that they do pass.

No. 105, S.,

A bill relating to discontinuance of highways, amendatory of section 1294, revised statutes,

With the recommendation that it be indefinitely postponed.

No. 117, S.,

A bill to amend section 20 of chapter 5 of the revised statutes of 1878, entitled of electors and general elections,

No. 151, S.,

A bill to confer certain police powers upon agents of the Wisconsin Humane Society,

No. 217, S.,

A bill to amend the subdivisions entitled additional powers of peculiar corporations, of chapter 86 of the revised statutes of Wisconsin, entitled of the organization of corporations,

No. 82, S.,

A bill to repeal sections 592 and 594 of revised statutes of 1878, relating to public charities, and to amend section 593, R. S. 1878, and to prescribe the procedure for committing persons to the insane hospitals,

With amendments, and recommend their passage when so amended.

No. 244, S.,

A bill to amend section 4564 of chapter 185 of the revised statutes of 1878, entitled of offenses against public policy,

That it be recommitted to the committee on State Affairs.

J. A. KELLOGG,

*Chairman pro tem.*

So ordered as to No. 244, S.

The amendments to No. 82, S., were ordered printed.

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The committee on Engrossed Bills have examined and find correctly engrossed:

No. 67, S.,

A bill to provide for the appointment of a register of probate of the county court of Milwaukee county, and for other purposes,

No. 111, S.,

A bill to authorize A. B. McDonnell, his associates and assigns, to build and maintain a dam across, and otherwise improve, Pine creek, in Price county, Wisconsin,

No. 196, S.,

A bill to improve Hay creek, a branch of the Eau Claire river, in the county of Clark, for driving logs out of said creek.

GEO. W. RYLAND,

*Chairman.*

The committee on Agriculture, to whom was referred  
No. 45, S.,

A bill to amend section 4560 of the revised statutes of 1878, entitled of fish and game,

Have had the same under consideration, and report the same back with amendment, and recommend its reference to the committee on State Affairs.

No. 135, A.,

A bill to amend subdivision 2, section 339, chapter 20, of the revised statutes of 1878, entitled of public printing,

And recommend that it be concurred in.

JOHN W. BLACKSTONE,  
*Chairman.*

So ordered as to No. 45, S.

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The committee on Enrolled Bills have examined and find correctly enrolled

No. 8, S.,

A bill to create the Kewaunee Harbor Commission, and define their duties.

RICHARD WEAVER,  
*Chairman pro tem.*

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The committee on Manufactures and Commerce, to whom was referred

Res. No. 22, S.,

Directing the printing of one thousand copies of the memorial of the State Board of Health, for the passage of a law regulating the inspection, sale, and use of illuminating oil, and that 500 copies of the same be furnished to the State Board of Health for distribution,

Have had the same under consideration, and have instructed me to report the same back with the recommendation that the resolution be adopted.

E. C. McFETRIDGE,  
*Chairman.*

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The joint committee on Claims, to whom was referred

No. 29, S.,

A bill to amend chapter 34 of the revised statutes, entitled of militia and the act amendatory thereof, and to provide for the greater efficiency of the Wisconsin National Guard,

No. 115, S.,

A bill to appropriate a certain sum of money therein named to the Wisconsin Industrial School for Girls,

No. 172, S.,

A bill to amend section 1797 of the revised statutes, in relation to the salary of the clerk of the railroad commissioner,

Have considered the same, and have instructed me to report the same back and recommend that they do pass.

No. 159, S.,

A bill to aid the Eastern Monroe County Agricultural Society,

No. 88, S.,

A bill to provide for the rebuilding of a portion of the Institution for the Education of the Deaf and Dumb, and to appropriate the sum of money therein named,

With amendments, and recommend their passage when so amended.

Senator Kelly dissenting.

No. 173, S.,

A bill providing for the erection of an institute for the deaf and dumb on the site of old Fort Winnebago,

No. 234, S.,

A bill to appropriate a sum of money therein named for the purchase of a building or buildings located in the county of Brown, to be used as an institution for the education of the deaf and dumb, and for the fitting up of such building or buildings, and for the maintenance of such institution until March 1, 1881,

With the recommendation that they be indefinitely postponed.

No. 230, S.,

A bill to appropriate a sum of money therein named for the erection in the county of Brown, upon a suitable site to be donated by the citizens of the said county, of an institution for the education of the deaf and dumb,

With an amendment, and recommend its passage when so amended.

Mr. Barnes dissenting.

W. T. PRICE,  
*Chairman.*

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#### REPORTS OF SELECT COMMITTEES.

The special committee to whom was referred

No. 235, S.,

A bill relating to the law of libel,

Has had the same under consideration, and respectfully report the same back with the recommendation that it be recommitted to the committee on Judiciary.

EDWIN E. WOODMAN,  
*Committee.*

So ordered.

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The select committee to whom was referred

No. 259, S.,

A bill to amend the charter of the city of Green Bay,

Have had the same under consideration, and report it back with the recommendation that it be printed and passed.

D. M. KELLY,  
*Committee.*

So ordered.

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The select committee consisting of the senators from Milwaukee county, to whom was referred

No. 50, S.,

A bill to provide a salary for justices of the peace in incorporated cities of a population of sixty thousand or upwards,

Have had the same under consideration, and respectfully report the same back with amendment, and recommend its passage when so amended.

GEO. H. PAUL,  
I. W. VAN SCHAICK,  
EDWIN HYDE,  
*Committee.*

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The select committee consisting of the senators from Milwaukee county, to whom was referred

No. 150, S.,

A bill for the more effectual prevention of cruelty to children and animals,

Have had the same under consideration, and respectfully report the same back with the recommendation that it be recommitted to the committee on Charitable and Penal Institutions.

GEO. H. PAUL,  
I. W. VAN SCHAICK,  
EDWIN HYDE,  
*Committee.*

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So ordered.

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The select committee to whom was referred

No. 161, S.,

A bill to provide for the better accommodation of the incurable insane of Waupaca county,

Has had the same under consideration, and respectfully report the same back with an amendment, and recommend that the same be referred to the Judiciary committee.

J. A. KELLOGG,  
*Committee.*

So ordered.

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## MESSAGE FROM THE ASSEMBLY.

By J. E. ELDRED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has passed, and asks the concurrence of the senate in

No. 274, A.,

A bill to amend chapter 318 of the private and local laws of 1855, as amended by chapter 189 of the general laws of 1865, relating to the house of correction of Milwaukee county,

No. 57, A.,

A bill to provide for the publication of proceedings of county boards of supervisors,

No. 184, A.,

A bill to revise, consolidate and amend the city charter of the city of Wausau.

And has concurred with the senate in

No. 8, S.,

A bill to appropriate a certain sum of money therein named to George W. Perry.

And has amended, and concurred in as amended,

No. 201, S.,

A bill to amend section 1480 of the revised statutes of 1878, relating to the prevention of the spread of noxious weeds.

And has refused to concur with the senate in

No. 34, S.,

A bill relating to bonds of counties, cities, villages or towns, and amendatory of section 960 c, chapter 41, revised statutes of 1878.

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ASSEMBLY MESSAGE CONSIDERED.

No. 274, A.,

Was referred to Milwaukee Delegation.

No. 57, A.,

Was referred to the Judiciary committee.

No. 184, A.,

Was referred to the committee on Incorporations.

No. 201, S.,

With pending assembly amendments, was referred to committee on State Affairs.

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BILLS READY FOR A THIRD READING.

No. 126, S.,

A bill to provide for laying out and establishing a road from Milwaukee city to Port Washington,

No. 127, S.,

A bill to amend section 680 of the revised statutes of 1878, relating to claims against counties,

No. 136, S.,

A bill to authorize D. P. Simons, his associates and assigns, to construct and maintain a dam across and otherwise improve Butternut creek in Price county, Wisconsin,

No. 178, S.,

A bill to authorize Delos R. Moon, his associates or assigns, to improve Wolf river, a tributary of the north fork of the Eau Claire river, in the counties of Clark, Chippewa and Eau Claire,

No. 179, S.,

A bill to authorize Delos R. Moon, his associates and assigns, to improve Muskrat river, a tributary of the Eau Claire river, in the county of Eau Claire,

No. 180, S.,

A bill to authorize Delos R. Moon, his associates or assigns, to improve Otter creek, a tributary of Wolf river, in the counties of Clark and Chippewa,

No. 194, S.,

A bill to authorize the commissioners of public lands to loan a portion of the trust funds of the state to the county of Lincoln,

No. 218, S.,

A bill relating to the board of state canvassers, and amendatory of section 58 of chapter 5 of the revised statutes of 1878,

No. 122, S.

A bill to amend section 131 of the revised statutes, relating to sheriffs' fees,

No. 226, S.,

A bill relating to fees and costs, and to amend the revised statutes of 1878,

Were severally read a third time and passed.

No. 63 S.,

A bill relating to writs of mandamus and prohibition, and amendatory of section 3452 of the revised statutes of 1878,

Was read a third time and passed.

The ayes and noes being demanded, it was decided in the affirmative; ayes, 19; noes, 10; not voting, 4.

The vote was as follows:

*Ayes* — Senators Bennett, Blackstone, Chipman, Dering, Fifield, Griffin, Grimmer, Hyde, Kellogg, Kelly, McFetridge, McGrew, Quarles, Richardson, Ryland, Scott, Thomas, Van Steenwyk and Woodman — 19.

*Noes* — Senators Anderson, Carter, Haben, Morgan, Paul, Rankin, Sacket, Smith, Van Schaick and Weaver — 10.

*Not voting* — Senators Burrows, Houghton, Price and Sutherland — 4.

No. 33, A.,

A bill to authorize Chas. W. Hanson to build and maintain a dam across, and otherwise improve, Christmas creek, in Chippewa county, Wisconsin,

No 42, A.,

A bill to amend section 602 of the revised statutes, relating to the government of the Wisconsin Hospital for the Insane,

No. 51, A.,

A bill to amend the charter of the city of Watertown,

No. 128, A.,

A bill to authorize the city of Beaver Dam to issue bonds to build a city hall,

No. 154, A.,

A bill to legalize the acts of the supervisors of Monroe county in paying bounties for the destruction of foxes,

No. 162, A.,

A bill to authorize Louis Vincent and others, their associates and assigns, to build and maintain piers in the Chippewa river, at places herein named,

No. 189, A.,

A bill authorizing the city of Racine to pay an increased salary to the harbor master and bridge tenders of said city,

No. 258, A.,

A bill to authorize Atley Peterson and Peter Hooverson, their associates and assigns, to construct and maintain a dam across the Kickapoo river, on lands owned by them,

No. 291, A.,

A bill to amend chapter 162 of the laws of 1877, entitled an act to incorporate the city of New London,

No. 323, A.,

A bill to amend an act entitled an act to incorporate the city of Oconto,

No. 332, A.,

A bill to amend section 14 of chapter 104 of the private and local laws of 1870, entitled an act to authorize the city of Oconto to extend and maintain a pier into the waters of Green Bay,

No. 342, A.,

A bill to authorize K. A. Ostergreen and his associates to construct and maintain a dam and booms on the Spirit river, in the county of Lincoln,

No. 360, A.,

A bill to authorize Gus. A. Dreutzer to build a pier into the waters of Green Bay,

Were severally read a third time and concurred in.

No. 17, A.,

A bill to appropriate to David Wetherby and William James a sum of money therein named,

Was read a third time and concurred in.

The ayes and noes being required, it was decided in the affirmative: ayes, 20; noes, 6; not voting, 7.

The vote was as follows:

*Ayes* — Senators Bennett, Blackstone, Carter, Chipman, Fifield, Griffin, Grimmer, Haben, Hyde, Kellogg, Kelly, McFetridge, Paul, Quarles, Ryland, Sacket, Thomas, Van Schaick, Van Steenwyk and Woodman — 20.

*Noes* — Senators Anderson, McGrew, Morgan, Rankin, Smith and Weaver — 6.

*Not voting* — Senators Burrows, Dering, Houghton, Price, Richardson, Scott and Sutherland—7.

No. 35, A.,

A bill to amend section 4451, chapter 182, revised statutes of 1878, entitled of offenses against property,

Was read a third time and concurred in.

The ayes and noes being demanded, it was decided in the affirmative; ayes 18; noes 8; not voting 7.

The vote was as follows:

*Ayes* — Senators Blackstone, Chipman, Griffin, Grimmer, Haben, Hyde, Kellogg, McFetridge, McGrew, Paul, Quarles, Ryland, Sackett, Smith, Thomas, Van Schaick, Van Steenwyk and Woodman — 18.

*Noes* — Senators Anderson, Bennett, Carter, Fifield, Kelly, Morgan, Rankin and Weaver — 8.

*Not voting* — Senators Burrows, Dering, Houghton, Price, Richardson, Scott and Sutherland — 7.

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#### BILLS ON THEIR THIRD READING.

No. 292, A.,

A bill to amend chapter 179 of the laws of 1879, entitled an act relating to the charter of the city of Portage, and amendatory of chapter 122 of the laws of 1876,

Was ordered to a third reading.

No. 84, A.,

A bill in relation to fees of sheriffs, and amendatory of subdivisions 7 and 33 of section 731 of the revised statutes,

Was recommitted to the Judiciary committee.

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#### BILLS ON THEIR ENGROSSMENT AND THIRD READING.

No. 240, S.,

A bill to amend chapter 89, laws of 1877, entitled an act to incorporate the city of Chilton,

Was ordered engrossed and read a third time.

The amendments to

No. 133, S.,

A bill to authorize W. F. Bailey, Geo. W. Mason, R. J. Kepler and A. S. Dodge, and their associates and assigns, to build and maintain a bridge over and across the Chippewa river,

No. 189, S.,

A bill to grant sixty days additional time to the North Wisconsin Railway Company for the completion of a portion of its railway, and to confer on aforesaid company the optional right therein mentioned,

Were adopted, and the bills were severally ordered engrossed and read a third time.

No. 83, S.,

A bill relating to railroads, and to amend section 1839 of the revised statutes, in relation to execution and recording of conveyances of railroad corporations,

No. 104, S.,

A bill to regulate the recovery of costs and fees in certain cases from counties,

No. 176, S.,

A bill to repeal section 4073 of chapter 176 of the revised statutes, entitled of evidence,

Were severally indefinitely postponed.

On motion of Senator Woodman,

No. 145, S.,

A bill in relation to swamp lands in the counties of Marathon, Chippewa, Clark, Shawano, Oconto and Marinette,

Was recommitted to the Judiciary committee.

The ayes and noes being demanded, it was decided in the affirmative; ayes, 15; noes, 11; not voting, 7.

The vote was as follows:

*Ayes* — Senators Blackstone, Fifield, Griffin, Kellogg, McFetridge, McGrew, Quarles, Richardson, Ryland, Sacket, Scott, Thomas, Van Steenwyk, Weaver and Woodman—15.

*Noes* — Senators Anderson, Bennett, Carter, Chipman, Dering, Grimmer, Haben, Kelly, Morgan, Rankin and Smith — 11.

*Not voting* — Senators Burrows, Houghton, Hyde, Paul, Price, Sutherland and Van Schaick — 7.

On motion of Senator Richardson, further consideration of

No. 171, S.,

A bill to fix a salary for sheriffs,

Was postponed until to-morrow.

No. 262, S.,

A bill to regulate the disbursement of public money in certain cases, and prescribing penalties for misappropriation thereof,

Senator Richardson offered the following amendment:

Amend section 3 by adding the following words: "the governor, attorney general and secretary of state."

The amendment was adopted, and the bill was ordered engrossed and read a third time.

No. 228, S.,

A bill to amend chapter 407 of the private and local laws of 1868, entitled an act to enable the city of Kenosha to readjust and fund its indebtedness,

Was ordered engrossed.

On motion of Senator Quarles,

The rules were suspended, and the bill was read a third time and passed.

No. 4, S.,

A bill to permit the boards of supervisors of counties to exempt their respective counties from the provisions of sections 1623, 1624

and 1625 of the revised statutes of 1878, providing for the taxation of dogs,

Was recommitted to committee on Agriculture.

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On motion of Senator Bennett,  
The senate adjourned.

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FRIDAY, FEBRUARY 27, 1880.

10 o' CLOCK A. M.

The senate met.

The president in the chair.

Prayer by the Rev. Mr. Richards.

The roll was called, and the following senators answered to their names:

Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Grimmer, Haben, Hyde, Kellogg, Kelly, McFetridge, McGrew, Price, Quarles, Rankin, Richardson, Ryland, Sacket, Smith, Thomas, Van Schaick, Van Steenwyk and Woodman.

The journal of yesterday was approved.

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#### LEAVE OF ABSENCE.

Senator Fifield was granted indefinite leave of absence after this morning's session.

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On motion of Senator Haben, the special order for Wednesday evening, March 3d, was postponed until Thursday evening, March 4th, at 8 o'clock P. M.

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#### LETTERS, PETITIONS, Etc.

By Senator Quarles:

Pet. No. 191, S.,

Of Nelson Frayer and 20 others against the passage of 253, S., and 1, A.

To committee on Finance, Banks and Insurance.

By Senator Chipman:

Pet. No. 192, S.,

Of C. Hall and 6 others against the passage of bill 232, A.

To committee on Finance, Banks and Insurance.

By Senator Griffin:

Pet. No. 193, S.,

Of August Gebhardt and 13 others against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

By Senator Haben:

Pet. No. 194, S.,

Of R. Hellard, A. Bowers, E. B. Ransome and 22 others against the passage of bills No. 253, S., and 241, A.

To committee on Finance, Banks and Insurance.

By Senator Sacket:

Pet. No. 195, S.,

Of R. P. Rawson and 16 others against the passage of "Dot leetle" insurance bill.

To committee on Finance, Banks and Insurance.

By Senator Carter:

Pet. No. 196, S.,

Of Christian Arbischer and others against the passage of bills 253, S., and 241, A.

To committee on Finance, Banks and Insurance.

By Senator Carter:

Pet. No. 197, S.,

Of J. E. McMullen, John M. Jones, Charles F. Holtz and 27 others of Calumet county, against the passage of bills 253, S., and 241, A.

To committee on Finance, Banks and Insurance.

By Senator Smith:

Pet. No. 198, S.,

Of Asa Carpenter and 16 others against the passage of bills 253, S., and 241, A.

To committee on Finance, Banks and Insurance.

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### RESOLUTIONS INTRODUCED.

By Senator Van Steenwyk:

Res. No. 27, S.,

*Resolved*, That the use of the senate chamber be tendered to the Hon. Horace Rublee for the delivery of a lecture "On the Political Institutions and History of Switzerland," for Friday evening, March 5, 1880, at 8 o'clock P. M.

Adopted.

## REPORTS OF COMMITTEES.

The committee on Town and County Affairs, to whom was referred

No. 95, S.,

A bill to provide for the proper proportion of payment of surveys made by the county surveyor or his deputy, by all the owners of land in a section,

Have had the same under consideration, and have instructed me to report the same back with the recommendation that it be indefinitely postponed.

CHAS. L. DERING,  
*Chairman.*

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The committee on Incorporations, to whom was referred

No. 93, A.,

A bill amending the charter of the Evansville Seminary, and the several acts amendatory thereof,

No. 341, A.,

A bill relating to an act to authorize R. D. Shelsweek to build a pier extending into the waters of Lake Michigan, and amendatory of section 1 of chapter 29 of the laws of 1879,

No. 184, A.,

A bill to revise, consolidate and amend the city charter of the city of Wausau,

Have had the same under consideration, and report them back with the recommendation that they be concurred in.

GEO. GRIMMER,  
*Chairman.*

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The committee on State Affairs, to whom was referred

No. 39, A.,

A bill for the preservation of fish in Long lake, Round lake and Mud lake, situate in the counties of Fond du Lac and Sheboygan,

No. 161, A.,

A bill to preserve the fish in Elkhart lake, Sheboygan county,

No. 224, A.,

A bill authorizing the city of Racine to transfer certain moneys from any available fund of said city to the poor fund,

No. 328, A.,

A bill to authorize the commissioners of public lands to loan a portion of the trust funds of the state to the county of Brown,

Have had the same under consideration, and respectfully report them back with the recommendation that they be concurred in.

No. 57, S.,

A bill to protect certain game birds within this state,

With the recommendation that it do pass.

**Jt. Res. No. 10, A.,**

**Amending the constitution and providing for biennial sessions of the legislature,**

**With the recommendation that it be indefinitely postponed.**

**Senator McFetridge dissenting.**

**No. 201, S.,**

**A bill to amend section 1480 of the revised statutes of 1878, relating to the prevention of the spread of noxious weeds,**

**With the recommendation that the assembly amendments to the same be not concurred in, and respectfully ask for a committee of conference on said amendments.**

**GEO. B. BURROWS.**

*Chairman.*

**The joint committee on Claims to whom was referred**

**No. 138, S.,**

**A bill to appropriate to the Northern Wisconsin Agricultural and Mechanical Association a sum of money therein named,**

**No. 232, S.,**

**A bill to appropriate a sum of money therein named to the Horticultural Society,**

**No. 186, S.,**

**A bill in relation to the State Historical Society, and appropriating a sum of money,**

**Have had the same under consideration, and report them back with the recommendation that they do pass.**

**No. 91, S.,**

**A bill to appropriate to the Institution for the Education of the Deaf and Dumb a sum of money therein named,**

**No. 135, S.,**

**A bill to appropriate to the State Agricultural Society the sum of money therein named,**

**No. 147, S.,**

**A bill to appropriate the sum of one thousand dollars to the Central Wisconsin Agricultural and Mechanical Association,**

**No. 38, S.,**

**A bill to appropriate to Dodge county a sum of money therein named,**

**With amendments, and recommend their passage when so amended.**

**No. 258, S.,**

**A bill to appropriate to Wood county a sum of money therein named,**

**No. 146, S.,**

**A bill to appropriate to the county of Kenosha a certain sum of money therein named,**

**With the recommendation that they be indefinitely postponed.**

**No. 229, S.,**

**A bill to appropriate to R. R. Fallows a sum of money therein named,**

With the recommendation that it be indefinitely postponed.  
Senator Kelly and Messrs. Barnes and Stone dissenting.

W. T. PRICE,  
*Chairman.*

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The committee on Legislative Expenditures, to whom was referred

No. 79, A.,

A bill to amend chapter 141 of the laws of 1879, in relation to the distribution of the Blue Book,

Have had the same under consideration, and instruct me to report it back with amendments, and recommend that it be concurred in when so amended.

Jt. Res. No. 15, A.,

Relating to the distribution of volumes 2 and 3 of the Geological Survey,

With an amendment, and recommend its adoption when so amended.

Jt. Res. No. 21, A.,

Relating to appointment of committee of three in regard to reduction of administrative and legislative expenses,

With the recommendation that it be referred to committee on State Affairs.

Jt. Res. No. 17, A.,

Relating to furnishing copies of geological survey to reporters of daily newspapers,

With the recommendation that it be indefinitely postponed.

J. V. QUARLES,  
*Chairman.*

So ordered as to Jt. Res. No. 21, A.

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The committee on Charitable and Penal Institutions, to whom was referred

No. 6, S.,

A bill for the prevention of cruelty to minors,

Have had the same under consideration, and directed me to report the same back with an amendment, and recommend its passage when so amended.

No. 150, S.,

A bill for the more efficient prevention of cruelty to children and animals,

With the recommendation that it be indefinitely postponed.

H. RICHARDSON,  
*Chairman.*

The committee on Finance, Banks and Insurance, to whom was referred

No. 185, A.,

A bill relating to and amendatory of section 1938 of chapter 89, revised statutes of 1878, entitled of insurance companies,

Have had the same under consideration, and have instructed me to report the same back with recommendation that it be non-concurred in.

- No. 91, A.,

A bill to amend section 1931 of chapter 89 of the revised statutes, entitled of insurance corporations,

- No. 174, A.,

A bill to amend sections 1927, 1928 and 1929, chapter 89, revised statutes, relating to town insurance companies,

With recommendation that they be concurred in.

G. VAN STEENWYK,

*Chairman.*

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The committee on Federal Relations, to whom was referred

M. C. No. 3, A.,

Memorial to the postmaster general for an increase of mail service from the village of Merton, in Waukesha county, to Lake Five, in Washington county,

- M. C. No. 4, A.,

Memorial to congress for an increase and change of mail service in Door county,

M. C. No. 6, A.,

Memorial to congress for an appropriation to reopen the channel of Wolf river, in northern Wisconsin,

M. C. No. 9, A.,

To the postmaster general to establish a semi-weekly mail in Door county,

M. C. No. 12, A.,

Memorial to congress asking for the passage of a law regulating the sale of patent rights,

M. C. No. 14, A.,

To the postmaster general for an increase of mail service on route 25,185, between Muscoda, Grant county, and Viroqua, Vernon county,

M. C. No. 15, A.,

Memorial to congress to authorize the building of a bridge across Sturgeon Bay, in Door county,

M. C. No. 16, A.,

Memorial to congress for a national law to protect the fishing interests in fresh water lakes and their tributaries,

Have had the same under consideration, and have instructed me to report the same back with the recommendation that they be concurred in.

- M. C. No. 6, S.,

To the postmaster general for the establishment of a daily mail

between the villages of Excelsior, Richland county, and Musoods, Grant county,

With the recommendation that it do pass.

M. GRIFFIN,  
*Chairman.*

---

The committee on Engrossed Bills have examined and find correctly engrossed,

No. 240, S.,

A bill to amend chapter 89, laws of 1877, entitled an act to incorporate the city of Chilton,

No. 262, S.,

A bill to regulate the disbursement of public money in certain cases, and prescribing penalties for misappropriation thereof,

No. 133, S.,

A bill to authorize W. F. Bailey, Geo. W. Mason, R. J. Kepler and A. S. Dodge, and their associates and assigns, to build and maintain a bridge over and across the Chippewa river,

No. 183, S.,

A bill relating to the equalization of assessments,

No. 189, S.,

A bill to grant to the North Wisconsin Railway Company the optional right to grade forty miles of its railway during the year 1880, in lieu of completing twenty miles thereof during said year, and to define its rights and duties in a contingency therein named,

No. 131, S.,

A bill to vacate a portion of a certain state road in the county of Dane,

No. 149, S.,

A bill to preserve and promote the public health in the city of Milwaukee,

No. 239, S.,

A bill to authorize mutual hail insurance companies of other states to do business in this state,

No. 246, S.,

A bill to authorize Joseph S. Wilson, his associates and assigns, to construct and maintain a boom and piers in the Chippewa river in the city of Eau Claire.

GEO. W. RYLAND,  
*Chairman.*

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The committee on Roads and Bridges, to whom was referred

No. 101, A.,

A bill in relation to a ferry across the Mississippi river, and amendatory of chapter 216 of the private and local laws of 1871, entitled an act to authorize Henry Gardner and Albert H. Wareham to keep and maintain a ferry across the Mississippi river at a point where the line of Crawford and Vernon counties strikes said river,

Have had the same under consideration, and have instructed me to report the same back with the recommendation that it be recommitted to the committee on Judiciary.

No. 112, A.,

A bill to discontinue a portion of the state road running through the counties of Racine, Walworth and Rock, state of Wisconsin, lying in the town of Fulton, Rock county, aforesaid,

No. 188, A.,

A bill to provide for laying out a state road from the town of Preble, Brown county, to the town of Casco, Kewaunee county,

With the recommendation that they be concurred in.

J. B. BENNETT,

*Chairman.*

So ordered as to No. 101, A.

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The committee on Enrolled Bills have examined and find correctly enrolled the following bills:

No. 15, S.,

A bill to authorize James McCrossen and others to build a dam across and otherwise improve Spirit river, in Lincoln county, Wisconsin,

No. 18, A.,

A bill to amend an act entitled an act to revise, consolidate and amend the city charter of the city of Fond du Lac, approved March 5, 1879,

No. 23, S.,

A bill to amend sections 3875 and 3878 of the revised statutes of 1878, relating to the sale of lands by executors and administrators,

No. 27, S.,

A bill in relation to proceedings in criminal cases in justices courts, and amendatory of section 4760 of chapter 194 of the revised statutes,

No. 30, S.,

A bill to authorize A. D. Lunt and Peter Musser, their associates and assigns, to build and maintain a dam across and otherwise improve Elk river, in Price county, for log driving purposes,

No. 48, S.,

A bill to amend section 4415, revised statutes 1878, relating to punishment for larceny,

No. 71, S.,

A bill to legalize the acts of L. S. Rolleston, county clerk in and for the county of Columbia,

No. 73, S.,

A bill to create the Kewaunee Harbor Commission and define their duties,

No. 84, S.,

A bill to legalize the official acts of Alois Neuburg, a justice of the peace in the county of La Crosse,

No. 85, S.,

A bill to authorize the commissioners of public lands to loan a portion of the trust funds of the state to the town of Shullsburg, in La Fayette county,

No. 108, S.,

A bill to authorize the justices of the peace elected in the several wards of the city of Plymouth, to keep an office and perform their duties in any part of said city,

No. 109, S.,

A bill to authorize William Wilson, William Tainter, John H. Knapp, Henry L. Stout, Thos. B. Wilson and John H. Douglas, their associates, successors and assigns, to construct and maintain a dam across Hay river in Barron county, on lands owned by the Knapp, Stout & Co. Company,

No. 114, S.,

A bill to authorize Thos. B. Scott to build a dam or dams on Prairie river, in Lincoln county, Wisconsin,

No. 160, S.,

A bill to authorize A. E. Sawyer, Daniel Austin and Richard Dewhurst to build and maintain a dam across Black river,

No. 120, S.,

A bill authorizing the Hamburg Town Fire Insurance Company to reinsure the Vernon County Scandinavian Mutual Insurance Company,

No. 177, S.,

A bill to authorize John H. Knapp, Henry L. Stout, Andrew Tainter, William Wilson, Thomas B. Wilson and John H. Douglas, their associates, successors and assigns, to erect and maintain a dam across the Red Cedar river, on lands owned by the Knapp, Stout & Co. Company,

No. 187, S.,

A bill to legalize the action of the board of supervisors of the county of Polk in setting off and creating the town of Georgetown, in said county,

No. 188, S.,

A bill authorizing the Chicago, St. Paul & Minneapolis Railway Company to abandon, under certain conditions, that portion of its railway lying between North Wisconsin Junction and the St. Croix Lake,

No. 200, S.,

A bill to amend chapter 58 of the private and local laws of 1859, entitled an act to incorporate the Madison Gymnastic Association,

No. 213, S.,

A bill to amend chapter 3 of chapter 72 of the private and local laws of 1858, entitled an act to incorporate the city of Ripon,

W. T. PRICE,

*Chairman pro tem.*

## REPORTS OF SELECT COMMITTEES.

The special committee to whom was referred

No. 254, S.,

A bill to amend section 1213 of the revised statutes of 1878, in relation to the taxation of railroad, telegraph, fire, inland navigation and life insurance companies,

Have had the same under consideration and report the same back with the recommendation that the same be indefinitely postponed.

S. S. FIFIELD,  
*Committee.*

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## MESSAGE FROM THE ASSEMBLY.

By J. E. ELDERED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has passed, and asks the concurrence of the senate in

No. 377, A.,

A bill to amend chapter 6 of chapter 474 of the private and local laws of 1866, entitled an act to reduce the act incorporating the city of Janesville, and the several acts amendatory thereof, into one act, and to amend the same, approved April 12, 1866,

No. 50, A.,

A bill authorizing and allowing horses, mules, cattle and sheep to run at large upon uninclosed lands in the county of Vernon,

And has adopted, and asks concurrence of senate in,

Jt. Res. No. 27, A.,

Instructing the superintendent of public property to furnish members of legislature copies of town laws,

And has concurred with senate in

Jt. Res. No. 11, S.,

Requesting senators and members of congress from Wisconsin to support such legislation as will place inter-state commerce under the control of a board of commissioners,

And asks the return of

No. 158, A.,

A bill to amend section 1 of chapter 47 of the private and local laws of Wisconsin for the year 1872.

No. 158, A.,

Was ordered returned.

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## ASSEMBLY MESSAGE CONSIDERED.

No. 377, A.,

Was referred to the committee on Incorporations.

No. 50, A.,

Was referred to the committee on Agriculture.

Jt. Res. No. 27, A.,

Was concurred in.

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On motion of Senator Rankin,

The vote by which

No. 83, S.,

A bill relating to railroads, and to amend section 1839 of the revised statutes, in relation to execution and recording of conveyances of railroad corporations,

Was indefinitely postponed, was reconsidered, and the same was recommitted to the committee on Railroads.

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#### SENATE RESOLUTIONS CONSIDERED.

Res. No. 22, S.,

Directing the printing of one thousand copies of the memorial of the State Board of Health, for the passage of a law regulating the inspection, sale, and use of illuminating oil, and that 500 copies of the same be furnished to the State Board of Health for distribution,

Was adopted.

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#### BILLS READY FOR A THIRD READING.

No. 67, S.,

A bill to provide for the appointment of register of probate of the county court of Milwaukee county, and for other purposes,

No. 111, S.,

A bill to authorize A. B. McConnell, his associates and assigns, to build and maintain a dam across, and otherwise improve, Pine creek, in Price county, Wisconsin,

No. 196, S.,

A bill to improve Hay creek, a branch of the Eau Claire river, in the county of Clark, for driving logs out of said creek,

Were severally read a third time and passed.

No. 292, A.,

A bill to amend chapter 179 of the laws of 1879, entitled an act relating to the charter of the city of Portage, and amendatory of chapter 122 of the laws of 1876,

Was read a third time and concurred in.

**BILLS ON THEIR THIRD READING.**

No. 135, A.,

A bill to amend subdivision 2, section 339, chapter 20, of the revised statutes, entitled of public printing,

Was ordered to a third reading.

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**BILLS ON THEIR ENGROSSMENT AND THIRD READING.**

No. 77, S.,

A bill to promote good order and repress crime,

No. 172, S.,

A bill to amend section 1797 of the revised statutes, in relation to the salary of the clerk of the railroad commissioner,

No. 210, S.,

A bill to amend subdivision 3 of section 2586 of the revised statutes of 1878, relating to admissions to the bar,

Were severally ordered engrossed and read a third time.

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Senator Burrows took the chair.

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The amendments to

No. 88, S.,

A bill to provide for the rebuilding of a portion of the Institution for the Education of the Deaf and Dumb, and to appropriate the sum of money therein named,

No. 117, S.,

A bill to amend section 20 of chapter 5 of the revised statutes of 1878, entitled of electors and general elections,

No. 159, S.,

A bill to aid the Eastern Monroe County Agricultural Society,

No. 217, S.,

A bill to amend the subdivisions entitled additional powers of peculiar corporations, of chapter 86 of the revised statutes of Wisconsin, entitled of the organization of corporations,

Were adopted, and the bills were severally ordered engrossed and read a third time.

The amendments to

No. 151, S.,

A bill to confer certain police powers upon agents of the Wisconsin Humane Society,

Were adopted, and the bill was read a third time and passed.

No. 69, S.,

A bill regulating the inspection, sale and uses of illuminating oils from petroleum and other sources,

No. 105, S.,

A bill relating to discontinuance of highways, amendatory of section 1294, revised statutes,

No. 173, S.,

A bill providing for the erection of an institute for the deaf and dumb on the site of old Fort Winnebago,

Were severally indefinitely postponed.

On motion of Senator Haben,

No. 115, S.,

A bill to appropriate a certain sum of money therein named to Wisconsin Industrial School for Girls,

Was recommitted to the committee on Charitable and Penal Institutions.

No. 171, S.,

A bill to fix salary for sheriffs,

With pending amendments,

Was recommitted to the Judiciary committee.

No. 50, S.,

A bill to provide a salary for justices of the peace in incorporated cities of a population of sixty thousand or upwards,

With pending amendments,

Was laid aside until Monday evening, March 1st.

On motion of Senator Kelly, further consideration of

No. 230, S.,

A bill to appropriate a sum of money therein named for the erection in the county of Brown, upon a suitable site to be donated by the citizens of said county, of an institution for the education of the deaf and dumb,

With pending amendments,

Was postponed until March 2, and the amendments ordered printed.

No. 234, S.,

A bill to appropriate a sum of money therein named for the purchase of a building or buildings located in the county of Brown, to be used as an institution for the education of the deaf and dumb, and for the fitting up of such building or buildings, and for the maintenance of such institution until March 1, 1880,

Was recommitted to a select committee consisting of Senator Kelly.

No. 29, S.,

A bill to amend chapter 34 of the revised statutes, entitled of militia and the act amendatory thereof, and to provide for the greater efficiency of the Wisconsin National Guard.

Senator Kellogg offered the following amendments:

1. Amend section 2 of said bill, by inserting after the word "may," in the 26th line of said bill, and before the word "without," the words "with or."

2. Amend section 5 of said bill by striking out the words "twenty-four," where they occur at the end of the fourth line of said section, and insert in lieu thereof the word "thirty." And strike out from said section the words "twenty-four" (24), in the twenty-

first and twenty-second lines, and out of the twenty-second line the words "at present."

3. Add the following to said bill, as section 6:

Section 6. Section 638 of said chapter is hereby so amended as to read as follows: Section 638. Non-commissioned officers, musicians and privates, shall be honorably discharged only upon certificate thereof, signed by the company commander, and indorsed by the adjutant general, with the governor's approval. Such discharge shall not be granted unless after five years' service, or for some absolute disability occurring after muster in, or unless the member discharged permanently removes his residence out of the county, or unless the governor shall order the same for other good cause.

Senator Rankin calling for a separate vote on amendment No. 2, Amendments Nos. 1 and 3 were voted on collectively, and were adopted.

Amendment No. 2 was then adopted, and the bill was ordered engrossed and read a third time.

The ayes and noes were demanded; it was decided in the affirmative; ayes 20; noes, 3; not voting 10.

The vote was as follows:

*Ayes* — Senators Bennett, Burrows, Chipman, Dering, Fifield, Griffin, Grimmer, Hyde, Kellogg, Kelly, McFetridge, McGrew, Quarles, Richardson, Ryland, Sacket, Thomas, Van Schaick, Van Steenwyk and Woodman — 20.

*Noes* — Senators Anderson, Rankin and Smith — 3.

*Not voting* — Senators Blackstone, Carter, Haben, Houghton, Morgan, Paul, Price, Scott, Sutherland and Weaver — 10.

Senator Bennett took the chair.

On motion of Senator Burrows, all rules interfering with the present consideration of

No. 131, S.,

A bill to vacate a portion of a certain state road in the county of Dane,

Were suspended, and the bill was read a third time and passed.

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On motion of Senator Van Steenwyk,  
The senate adjourned.

SATURDAY, FEBRUARY 28, 1880.

10 o'CLOCK A. M.

The senate met.

The president in the chair.

The roll was called, and the following senators answered to their names:

Senators Blackstone, Burrows, Carter, Chipman, Griffin, Grimmer, Haben, Hyde, Kellogg, Kelly, McFetridge, McGrew, Price, Richardson, Ryland, Sacket, Smith, Thomas, Van Steenwyk and Woodman.

The journal of yesterday was approved.

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#### LEAVE OF ABSENCE.

Leave of absence was granted to Senators Chipman and Dering till Monday evening.

To Senators Bennett, Van Steenwyk and Griffin till Tuesday morning.

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#### COMMUNICATION TO THE LEGISLATURE.

STATE OF WISCONSIN,  
*Department of State,*  
MADISON, *February 28, 1880.*

Hon. JAMES M. BINGHAM,

*President of the Senate:*

SIR — In compliance with the provisions of section 147 of the revised statutes, I have the honor to transmit herewith to the legislature, the following claim against the state requiring legislative action, to wit:

The claim of Carpenter & Tenney for \$1,368.00.

This claim, if allowed, will be chargeable to the General Fund.

Very respectfully,

Your obedient servant,

H. B. WARNER,

*Secretary of State.*

The claim was referred to the joint committee on Claims.

## REPORTS OF COMMITTEES.

The committee on Engrossed Bills have examined and find correctly engrossed

No. 29, S.,

A bill to amend chapter 34 of the revised statutes, entitled of militia and the act amendatory thereof, and to provide for the greater efficiency of the Wisconsin National Guard,

No. 77, S.,

A bill to promote good order and repress crime,

No. 88, S.,

A bill to provide for the rebuilding of a portion of the Institution for the Education of the Deaf and Dumb, and to appropriate the sum of money therein named,

No. 117, S.,

A bill to amend section 20 of chapter 5 of the revised statutes of 1878, entitled of electors and general elections,

No. 159, S.,

A bill to aid the Eastern Monroe County Agricultural Society,

No. 172, S.,

A bill to amend section 1797 of the revised statutes, in relation to the salary of the clerk of the railroad commissioner,

No. 210, S.,

A bill to amend subdivision 3 of section 2586 of the revised statutes of 1878, relating to admission to the bar,

No. 228, S.,

A bill to amend chapter 407 of the private and local laws of 1868, entitled an act to enable the city of Kenosha to readjust and fund its indebtedness.

GEO. W. RYLAND,  
*Chairman.*

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The committee on Education, to whom was referred

No. 269, A.,

A bill to amend subdivision 8 of section 461 of the revised statutes, relating to inspection districts and the examination of teachers,

Have had the same under consideration, and have instructed me to report the same back with the recommendation that it be concurred in.

EDWIN E. WOODMAN,  
*Chairman.*

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The committee on Judiciary, to whom was referred

No. 81, S.,

A bill to amend section 4395 of the revised statutes of 1878, entitled of offenses against the lives and persons of individuals,

Have had the same under consideration, and have instructed me to report the same back with the recommendation that it do pass.

No. 227, S.,

A bill to amend section 2731 of the revised statutes of 1878, relating to proceedings by attachment,

With amendments, and passage recommended when so amended.

No. 84, A.,

A bill in relation to fees of sheriffs, and amendatory of subdivisions 7 and 33 of section 731 of the revised statutes,

With the recommendation that the same be indefinitely postponed.

No. 338, A.,

A bill authorizing the special collection of a tax levied by the city of Sheboygan, and omitted in the tax roll of 1879,

No. 190, A.,

A bill authorizing the city of Racine to purchase additional cemetery grounds,

No. 41, A.,

A bill to exempt members of the Watertown fire department from certain duties therein named,

With the recommendation that they be concurred in.

J. A. KELLOGG,  
*Chairman pro tem.*

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The committee on Charitable and Penal Institutions, to whom was referred

No. 115, S.,

A bill to appropriate a certain sum of money therein named to the Wisconsin Industrial School for Girls,

Have had the same under consideration, and have instructed me to report the same back with amendments and the recommendation that it do pass when so amended.

H. RICHARDSON,  
*Chairman.*

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The joint committee on Claims, to whom was referred

No. 250, S.,

A bill to amend section 129 of chapter 11 of the revised statutes, entitled of the state officers,

Have had the same under consideration, and have instructed me to report the same back with the recommendation that it do pass.

W. T. PRICE,  
*Chairman.*

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The committee on Enrolled Bills have examined and find correctly enrolled:

Jt. Res. No. 11, S.,

Requesting senators and members of congress from Wisconsin to support such legislation as will place inter-state commerce under the control of a board of commissioners,

No. 66, S.,

A bill to extend the time limited in chapter 281, private and local laws of 1870, entitled an act to authorize Diedrich Van Hollan to keep and maintain a ferry across the St. Croix river,

No. 3, S.,

A bill to amend chapter 167, general laws 1879, entitled an act to amend sections 3329 and 3330 of the revised statutes of 1878, entitled of liens.

W. T. PRICE,  
*Chairman pro tem.*

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### MESSAGE FROM THE ASSEMBLY.

By J. E. ELDRED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has passed, and asks the concurrence of the senate in

No. 104, A.,

A bill to limit the number of terms to which a person may be eligible to the office of county treasurer.

No. 206, A.,

A bill to prohibit unauthorized companies and agents from transacting the business of insurance in this state, and relating to the department of insurance,

No. 120, A.,

A bill to amend section 351 of chapter 22 of the revised statutes of 1878, in relation to the distribution of public documents,

No. 121, A.,

A bill to amend section 3368 of chapter 145 of the revised statutes of 1878, in relation to appeals from justice courts,

No. 169, A.,

A bill to authorize the city of Neenah to borrow money,

No. 195, A.,

A bill to improve the Little Elk river, in the county of Price, and to grant to Mathew Wadleigh, R. M. Mooer and A. D. Lunt, their associates and assigns, certain powers and privileges therein named,

No. 204, A.,

A bill to authorize the villages of De Pere and West De Pere to purchase, hold and lease certain real estate for the use of said villages,

No. 242, A.,

A bill to amend an act entitled an act to incorporate the chamber of commerce of the city of Milwaukee, approved February 29, 1868,

No. 283, A.,

A bill to amend section 4772 of chapter 194 of the revised statutes, entitled fines, to whom paid,

No. 306, A.,

A bill to authorize P. B. Champagne to build and maintain a dam across the Wisconsin river in Lincoln county,

No. 346, A.,

A bill to amend sections 854 and 855 of chapter 40, revised statutes of 1878, entitled of villages,

No. 194, A.,

A bill to authorize G. W. Cate and N. N. McLeod to build a dam across, for flooding purposes, and otherwise improve Spirit river, in Price county, Wisconsin,

No. 353, A.,

A bill to annex certain territory in the town of Jefferson to certain districts in said town,

No. 83, A.,

A bill to appropriate to Robert May a sum of money therein named,

No. 2, A.,

A bill to amend section 1 of chapter 192, laws of 1879, entitled an act to regulate the sizes of meshes of nets used in the waters of Lake Michigan, and the waters of Green Bay, and the waters of Lake Superior, and for the better enforcement of the fish and game laws of the state, and to repeal section 4563 of the revised statutes,

No. 69, A.,

A bill to legalize the acts of W. H. Gibson, a justice of the peace in Trempealeau county,

No. 227, A.,

A bill to legalize the acts of the Greenwood Cemetery Association, of Spring Valley, Rock county, and to fix the time and place of holding the annual election of trustees of said association,

No. 199, A.,

A bill to amend section 4115 of the revised statutes of 1878, relating to depositions taken without the state,

M. C. No. 13, A.,

Memorial to congress for an appropriation for the harbor at Manitowoc.

And has adopted, and asks concurrence of senate in,

Jt. Res. No. 12, A.,

Joint resolution proposing an amendment to section 1 of article 3 of the constitution of Wisconsin, relating to suffrage.

And has concurred in senate amendments to

No. 162, A.,

A bill to authorize Louis Vincent and others, their associates and assigns, to build and maintain piers in the Chippewa river, at places therein named,

No. 152, A.,

A bill to authorize the county of Outagamie to borrow money,

No. 73, A.,

A bill to authorize Gustavus Werlich, his associates and assigns, to erect and maintain a dam and boom and otherwise improve Big Rib river in Marathon county.

And has concurred with senate in the passage of

No. 96, S.,

A bill to authorize the Iowa County Agricultural Society to donate to the Mineral Point Railroad company a piece of land,

No. 184, S.,

A bill to allow general accident insurance companies to do business in this state,]

No. 87, S.,

A bill to appropriate to the superintendent of public property a sum of money therein named, to purchase the necessary stationery for the use of the legislature and state officers for the ensuing year,

No. 42, S.,

A bill to amend section 2437 of the revised statutes, in relation to phonographic reporters,

M. C. No. 4, S.,

For a modification of the existing laws respecting the payment of pensions to disabled soldiers and sailors,

M. C. No. 7, S.,

For sale of a portion of the Menomonee reservation in the county of Shawano,

M. C. No. 8, S.,

Memorial to congress for an adequate appropriation for the improvement of the harbor of Green Bay,

And has refused to concur with the senate in

No. 170, S.,

A bill to amend section 2918 of chapter 129 of the revised statutes, entitled of costs and fees allowed to parties in circuit courts,

No. 193, S.,

A bill to amend section 670 of the revised statutes of 1878, and chapter 190 of the general laws of 1879, relating to the organization of towns,

And has concurred in the passage of

No. 214, S.,

A bill to legalize the action of the board of supervisors of Lincoln county,

No. 219, S.,

A bill to amend section 1 of chapter 80 of private and local laws of 1855, entitled an act supplementary to an act to incorporate the Milwaukee Mechanics' Mutual Insurance Company, relating to restrictions in the bringing of suits,

No. 158, S.,

A bill authorizing judgments of the supreme court to be docketed in the circuit court,

No. 164, S.,

A bill in relation to costs and fees, and amendatory of section 2927 of the revised statutes of 1878,

No. 174, S.,

A bill to repeal certain provisions of section 2478 of the revised statutes, relating to juries in county courts,

No. 199,, S.,

A bill to repeal chapter 205 of the laws of Wisconsin of 1879, entitled an act to limit the number of terms to which a person may be eligible to the office of county treasurer,

No. 113, S.,

A bill to authorize Thos. B. Wilson, Andrew Tainter, William Wilson, Henry L. Stout, John H. Knapp, J. H. Douglas, their associates, successors and assigns, to erect and maintain a dam across Hemlock creek, in Chippewa county, on lands owned by the Knapp, Stout & Co. Company.

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#### ASSEMBLY MESSAGE CONSIDERED.

Nos. 120, 121, 283, 69, 199, A.,

Were referred to Judiciary committee.

Nos. 2, 104, 169, 83, A., and Jt. Res. No. 12, A.,

Were referred to the committee on State Affairs.

Nos. 195, 306, 194, A.,

Were referred to committee on Incorporations.

No. 242, A.,

Was referred to the Milwaukee Delegation.

Nos. 204, 346 and 353, A.,

Were referred to the committee on Town and County Affairs.

No. 206, A.,

Was referred to the committee on Finance, Banks and Insurance.

M. C. No. 13, A.,

Was referred to the committee on Federal Relations.

On motion of Senator Blackstone, the rules were suspended, and No. 227, A., was read a third time and concurred in.

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#### RESOLUTIONS CONSIDERED.

The amendments to

Jt. Res. No. 15, A.,

Relating to the distribution of volumes 2 and 3 of the Geological Survey,

Were adopted, and the resolution was concurred in.

Jt. Res. No. 17, A.,

Relating to furnishing copies of Geological Survey to reporters of daily newspapers,

Was indefinitely postponed.

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#### BILLS READY FOR A THIRD READING.

No. 133, S.,

A bill to authorize W. F. Bailey, Geo. W. Mason, R. J. Kepler and A. S. Dodge, and their associates and assigns, to build and maintain a bridge over and across the Chippewa river,

No. 149, S.,

A bill to preserve and promote the public health in the city of Milwaukee,

No. 183, S.,

A bill relating to the equalization of assessments,

No. 239, S.,

A bill to authorize mutual hail insurance companies of other states to do business in this state,

No. 240, S.,

A bill to amend chapter 89, laws of 1877, entitled an act to incorporate the city of Chilton,

No. 246, S.,

A bill to authorize Joseph S. Wilson, his associates and assigns, to construct and maintain a boom and piers in the Chippewa river in the city of Eau Claire,

Were severally read a third time and passed.

On motion of Senator Carter,

No. 189, S.,

A bill to grant sixty days additional time to the North Wisconsin Railway Company for the completion of a portion of its railway, and to confer on aforesaid company the optional right therein mentioned,

Was recommitted to the committee on State Affairs.

On motion of Senator Griffin,

No. 262, S.,

A bill to regulate the disbursement of public money in certain cases, and prescribing penalties for misappropriation thereof,

Was recommitted to committee on Judiciary.

No. 135, A.,

A bill to amend subdivision 2, section 339, chapter 20, of the revised statutes of 1878, entitled of public printing,

Was read a third time and concurred in.

The ayes and noes being demanded, it was decided in the affirmative: ayes, 19; noes, 0; not voting, 13.

The vote was as follows:

*Ayes* — Senators Blackstone, Burrows, Carter, Chipman, Griffin, Grimmer, Haben, Hyde, Kelly, McFetridge, McGrew, Price, Richardson, Ryland, Sacket, Smith, Thomas, Van Steenwyk and Woodman — 19.

*Noes* — None.

*Not voting* — Senators Anderson, Bennett, Dering, Fifield, Houghton, Kellogg, Morgan, Paul, Quarles, Rankin, Scott, Sutherland, Van Schaick and Weaver — 13.

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#### BIILLS ON THEIR THIRD READING.

No. 39, A.,

A bill for the preservation of fish in Long lake, Round lake and Mud lake, situate in the counties of Fond du Lac and Sheboygan,

No. 91, A.,

A bill to amend section 1931 of chapter 89 of the revised statutes, entitled of insurance corporations,

No. 93, A.,

A bill amending the charter of the Evansville Seminary, and the several acts amendatory thereof,

No. 112, A.,

A bill to discontinue a portion of a state road running through the counties of Racine, Walworth and Rock, state of Wisconsin, lying in the town of Fulton, Rock county, aforesaid,

No. 161, A.,

A bill to preserve the fish in Elkhart lake, Sheboygan county,

No. 174, A.,

A bill to amend sections 1927, 1928 and 1929, chapter 89, revised statutes, relating to town insurance companies,

No. 224, A.,

A bill authorizing the city of Racine to transfer certain moneys from any available fund of said city to the poor fund,

No. 328, A.,

A bill to authorize the commissioners of public lands to loan a portion of the trust funds of the state to the county of Brown,

No. 341, A.,

A bill relating to an act to authorize R. D. Shelsweek to build a pier extending into the waters of Lake Michigan, and amendatory of section 1 of chapter 29 of the laws of 1879,

M. C. No. 3, A.,

Memorial to postmaster general for an increase of mail service from the village of Merton, Waukesha county, to Lake Five in Washington county,

M. C. No. 4, A.,

Memorial to congress for an increase and change of mail service in Door county,

M. C. No. 6, A.,

Memorial to congress for an appropriation to reopen the channel of Wolf river in northern Wisconsin,

M. C. No. 9, A.,

Memorial to the postmaster general to establish a semi-weekly mail in Door county,

M. C. No. 12, A.,

Memorial to congress asking for the passage of a law regulating the sale of patent rights,

M. C. No. 14, A.,

To the postmaster general for an increase of mail service on route No. 25,185, between Muscoda, Grant county, and Viroqua, Vernon county,

M. C. No. 16, A.,

Memorial to congress for a national law to protect the fishing interests in fresh water lakes and their tributaries,

Were severally ordered to a third reading.

No. 185, A.,

A bill relating to and amendatory of section 1938 of chapter 89, revised statutes of 1878, entitled of insurance companies,

Was nonconcurrent in.

M. C. No. 15, A.,

Memorial to congress to authorize the building of a bridge across Sturgeon Bay in Door county,

Was referred to a select committee consisting of Senator Grimmer.

On motion of Senator Kelly,

No. 188, A.,

A bill to provide for laying out a state road from the town of Preble, Brown county, to the town of Casco, Kewaunee county,

Was recommitted to the senators from the 1st and 2d districts.

On motion of Senator Kellogg, the rules were suspended, and

No. 184, A.,

A bill to revise, consolidate and amend the city charter of the city of Wausau,

Was read a third time and concurred in.

The amendments to

No. 79, A.,

A bill to amend chapter 141 of the laws of 1879, in relation to the distribution of blue books,

Were adopted, and the bill ordered to a third reading.

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#### BILLS ON THEIR ENGROSSMENT AND THIRD READING.

No. 57, S.,

A bill to protect certain game birds within this state,

No. 135, S.,

A bill to appropriate to the State Agricultural Society the sum of money therein named,

No. 147, S.,

A bill to appropriate the sum of one thousand dollars to the Central Wisconsin Agricultural and Mechanical Association,

No. 229, S.,

A bill to appropriate to R. R. Fallows a sum of money therein named,

Were severally laid over until Tuesday morning.

No. 6, S.,

A bill for the prevention of cruelty to minors,

No. 38, S.,

A bill to appropriate to Dodge county a sum of money therein named,

No. 146, S.,

A bill to appropriate to the county of Kenosha a certain sum of money therein named,

No. 258, S.,

A bill to appropriate to Wood county a sum of money therein named,

Were severally recommitted to the committee on Judiciary.

No. 95, S.,

A bill to provide for the proper proportion of payment of surveys made by the county surveyor or his deputy, by all the owners of land in a section,

No. 150, S.,

A bill for the more efficient prevention of cruelty to children and animals,

No. 254, S.,

A bill to amend section 1213 of the revised statutes of 1878, in relation to the taxation of railroad, telegraph, fire, inland navigation and life insurance companies,

Were severally indefinitely postponed.

The assembly amendment to

No. 201, S.,

A bill to amend section 1480 of the revised statutes of 1878, relating to the prevention of the spread of noxious weeds,

Was nonconcurrent in.

No. 91, A.,

A bill to amend section 1931 of chapter 89 of the revised statutes, entitled of insurance corporations.

The question being on the adoption of the amendment offered by the committee,

Senator Richardson offered the following amendment to the amendment:

Amend the amendment by substituting the word "thirty" for the word "twenty-nine,"

Which was adopted,

The amendment as amended was adopted, and the bill ordered engrossed and read a third time.

No. 138, S.,

A bill to appropriate to the Northern Wisconsin Agricultural and Mechanical Association a sum of money therein named,

No. 186, S.,

A bill in relation to the State Historical Society, and appropriating a sum of money,

No. 232, S.,

A bill to appropriate a sum of money therein named to the Horticultural Society,

M. C. No. 6, S.,

To the postmaster general for the establishment of a daily mail between the villages of Excelsior, Richland county, and Muscoda, Grant county,

Were severally ordered engrossed and read a third time.

On motion of Senator Kellogg,

The rules were suspended, and

No. 29, S.,

A bill to amend chapter 34 of the revised statutes, entitled of the militia, and the act amendatory thereof, and to provide for the greater efficiency of the Wisconsin National Guard,

Was laid over till Tuesday.

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On motion of Senator McGrew,

The senate adjourned until Monday evening, at 7:30 o'clock.

MONDAY, MARCH 1, 1880.

7:30 o'CLOCK P. M.

The senate met.

The president in the chair.

The roll was called, and the following senators answered to their names:

Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Grimmer, Haben, Houghton, Hyde, Kellogg, Kelly, McFetridge, McGrew, Morgan, Paul, Quarles, Rankin, Richardson, Ryland, Smith, Thomas, Van Schaick, Weaver and Woodman.

The journal of Saturday was approved.

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COMMUNICATION TO THE LEGISLATURE.

STATE OF WISCONSIN,

*Department of State,*

MADISON, *March 1, 1880.*

HON. JAMES M. BINGHAM,

*President of the Senate:*

SIR — In compliance with the provisions of section 147 of the revised statutes, I have the honor to transmit herewith to the legislature, the following claim against the state requiring legislative action, to wit:

Claim of Reynolds & Fellenz for \$5,900.

This claim, if allowed, will be chargeable to the general fund.

Very respectfully,

Your obedient servant,

HANS B. WARNER,

*Secretary of State.*

## LETTERS, PETITIONS, Etc.

Presented and referred.

By Senator McGrew:

Pet. 199, S.,

Of H. H. Benson, J. H. Berryman and 15 other citizens of Richland county, against the passage of any measure taxing church property,

To committee on Charitable and Penal Institutions.

By Senator Richardson:

Pet. No. 200, S.,

Of C. M. Smith and 25 others against the passage of 253, S.

To committee on Finance, Banks and Insurance.

By Senator Dering:

Pet. No. 201, S.,

Of Peter Houston and 35 others against the several bills taxing life insurance companies.

To committee on Finance, Banks and Insurance.

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REPORTS OF COMMITTEES.

The committee on Town and County Affairs, to whom was referred

No. 223, S.,

A bill relating to and amendatory of the charter of the city of Portage,

Have had the same under consideration, and have instructed me to report the same back with the recommendation that it do pass.

No. 94, A.,

A bill providing for the disposal of redemption money remaining in the hands of county clerks more than six years,

With recommendation that it be concurred in.

Senator Dering dissenting.

No. 203, S.,

A bill to authorize the counties, towns, cities and school districts of this state to purchase the work therein named,

With the recommendation that it be indefinitely postponed.

CHAS. L. DERING,  
*Chairman.*

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The committee on Judiciary, to whom was referred

No. 230, A.,

A bill relating to and amendatory of section 2216 of chapter 100 of revised statutes of 1878, entitled of conveyances, etc.,

No. 223, A.,

A bill to legalize the acts of the Linden Town Mutual Fire Insurance Company in Iowa county,

No. 351, A.,

A bill to legalize the action of the Manitowoc Rapids Mutual Farmer Fire Insurance Company,

No. 356, A.,

A bill relating to justices of the peace, and amendatory of section 886 of chapter 40 of the revised statutes,

No. 357, A.,

A bill to amend subdivision c of section 1946 of chapter 89, revised statutes of 1878, entitled of insurance corporations,

No. 382, A.,

A bill relating to embezzlement, and to amend section 4667 of the revised statutes,

Have had the same under consideration, and instruct me to report the same back with the recommendation that they be concurred in.

No. 57, A.,

A bill to provide for the publication of proceedings of county boards of supervisors,

With amendment, and recommend that it be concurred in when so amended.

No. 259, A.,

A bill to amend chapter 5, section 46 of the revised statutes of 1878, entitled of county canvass,

No. 326, A.,

A bill to amend section 4071 of chapter 176 of the revised statutes of 1878, relating to testimony of defendant in criminal actions,

With the recommendation that they be indefinitely postponed.

H. E. HOUGHTON,  
*Chairman.*

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The committee on Incorporations, to whom was referred

No. 148, A.,

A bill to amend the charter of the city of Ahnapee, Kewaunee county,

Have had the same under consideration, and have instructed me to report the same back with an amendment, and recommend that it be concurred in when so amended.

GEO. GRIMMER,  
*Chairman.*

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The committee on Charitable and Penal Institutions, to whom was referred that portion of the governor's message relating to the charitable and penal institutions of the state, beg leave to report by bill

No. 00, S.,

A bill to provide for the transfer of insane persons from jails and poor houses to state and county asylums.

H. RICHARDSON,  
*Chairman.*

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The committee on Engrossed Bills have examined and find correctly engrossed

No. 232, S.,

A bill to appropriate a sum of money therein named to the State Horticultural Society,

No. 217, S.,

A bill to amend the subdivisions entitled additional powers of peculiar corporations, of chapter 86 of the revised statutes of Wisconsin, entitled of the organization of corporations,

No. 186, S.,

A bill in relation to the State Historical Society, and appropriating a sum of money,

No. 138, S.,

A bill to appropriate to the Northern Wisconsin Agricultural and Mechanical Association a sum of money therein named,

No. 91, S.,

A bill to appropriate to the Institution for the Education of the Deaf and Dumb a sum of money therein named,

M. C. No. 6, S.,

Memorial to the postmaster general for the establishment of a daily mail between the villages of Excelsior, in Richland county, and Muscoda, Grant county.

GEO. W. RYLAND,  
*Chairman.*

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#### REPORTS OF SELECT COMMITTEES.

The select committee to which was referred

No. 260, S.,

A bill relating to a military route, so called, in the state of Wisconsin, and repealing the act creating the same,

Have had the same under consideration, and report it back with an amendment, and recommend its passage when so amended.

D. M. KELLY,  
*Committee.*

## MESSAGE FROM THE ASSEMBLY.

By J. E. ELDRED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has passed, and asks the concurrence of the senate in,

No. 391, A.,

A bill to incorporate the city of Platteville,

And has adopted, and asks concurrence of senate in

Jt. Res. No. 28, A.,

Asking the governor to return No. 1, A., for correction.

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ASSEMBLY MESSAGE CONSIDERED.

On motion of Senator Ryland,

The rules were suspended, and No. 291, A., was read a third time and concurred in.

Jt. Res. No. 28, A.,

Was concurred in.

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BILLS READY FOR A THIRD READING.

No. 77, S.,

A bill to promote good order and repress crime,

Senator Kelly took the chair.

No. 117, S.,

A bill to amend section 20 of chapter 5 of the revised statutes of 1878, entitled of electors and general elections,

Were severally read a third time and passed.

No. 88, S.,

A bill to provide for the rebuilding of a portion of the Institution for the Education of the Deaf and Dumb, and to appropriate the sum of money therein named,

Was read a third time and passed.

The ayes and noes being required, it was decided in the affirmative; ayes 27; noes 0.

The vote was as follows:

*Ayes* — Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Grimmer, Haben, Houghton, Hyde, Kellogg, Kelly, McFetridge, McGrew, Morgan, Paul, Quarles, Rankin, Richardson, Ryland, Smith, Thomas, Van Schaick, Weaver and Woodman — 27.

*Noes* — None.

No. 159, S.,

A bill to aid the Eastern Monroe County Agricultural Society,  
Was read a third time and passed.

The ayes and noes being required, it was decided in the affirmative: ayes, 27; noes, 0.

*Ayes* — Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Grimmer, Haben, Houghton, Hyde, Kellogg, Kelly, McFetridge, McGrew, Morgan, Paul, Quarles, Rankin, Richardson, Ryland, Smith, Thomas, Van Schaick, Weaver and Woodman — 27.

*Noes* — None.

No. 172, S.,

A bill to amend section 1797 of the revised statutes, in relation to the salary of the clerk of the railroad commissioner,

Was read a third time and passed.

The ayes and noes being demanded, it was decided in the affirmative: ayes, 17; noes, 5; not voting, 11.

The vote was as follows:

*Ayes* — Senators Bennett, Blackstone, Burrows, Chipman, Dering, Fifield, Grimmer, Haben, Houghton, Hyde, Kellogg, Kelly, McFetridge, Morgan, Paul, Van Schaick and Woodman — 17.

*Noes* — Senators Carter, McGrew, Rankin, Smith and Weaver — 5.

*Not voting* — Senators Anderson, Griffin, Price, Quarles, Richardson, Ryland, Sacket, Scott, Sutherland, Thomas and Van Steenwyk — 11.

No. 210, S.,

A bill to amend subdivision 3 of section 2586 of the revised statutes of 1878, relating to admission to the bar,

Was read a third time and passed.

The ayes and noes being demanded, it was decided in the affirmative: ayes, 15; noes, 12; not voting 6.

The vote was as follows:

*Ayes* — Senators Anderson, Bennett, Blackstone, Burrows, Chipman, Dering, Fifield, Grimmer, Hyde, Kellogg, McFetridge, McGrew, Quarles, Thomas, and Van Schaick — 15.

*Noes* — Senators Carter, Haben, Houghton, Kelly, Morgan, Paul, Rankin, Richardson, Ryland, Smith, Weaver and Woodman — 12.

*Not voting* — Senators Griffin, Price, Sacket, Scott, Sutherland and Van Steenwyk — 6.

No. 39, A.,

A bill for the preservation of fish in Long lake, Round lake and Mud lake, situate in the counties of Fond du Lac and Sheboygan,

No. 79, A.,

A bill to amend chapter 141 of the laws of 1879, in relation to the distribution of Blue Books,

No. 91, A.,

A bill to amend section 1931 of chapter 89 of the revised statutes, entitled of insurance corporations,

No. 93, A.,

A bill amending the charter of the Evansville Seminary, and the several acts amendatory thereof,

No. 112, A.,

A bill to discontinue a portion of the state road running through the counties of Racine, Walworth and Rock, state of Wisconsin, lying in the town of Fulton, Rock county, aforesaid,

- No. 161, A.,  
A bill to preserve the fish in Elkhart lake, Sheboygan county,
- No. 174, A.,  
A bill to amend sections 1927, 1928 and 1929, chapter 89, revised statutes, relating to town insurance companies,
- No. 328, A.,  
A bill to authorize the commissioners of public lands to loan a portion of the trust funds of the state to the county of Brown,
- No. 341, A.,  
A bill relating to an act to authorize R. D. Shelsweek to build a pier extending into the waters of Lake Michigan, and amendatory of section 1 of chapter 29 of the laws of 1879,
- M. C. No. 3, A.,  
Memorial to the postmaster general for an increase of mail service from the village of Merton, in Waukesha county, to Lake Five, in Washington county,
- M. C. No. 4, A.,  
Memorial to congress for an increase and change of mail service in Door county,
- M. C. No. 6, A.,  
Memorial to congress for an appropriation to reopen the channel of Wolf river, in northern Wisconsin,
- M. C. No. 9, A.,  
Memorial to the postmaster general to establish a semi-weekly mail in Door county,
- M. C. No. 12, A.,  
Memorial to congress asking for the passage of a law regulating the sale of patent rights,
- M. C. No. 14, A.,  
To the postmaster general for an increase of mail service on route 25,185, between Muscoda, Grant county, and Viroqua, Vernon county,
- M. C. No. 16, A.,  
Memorial to congress for a national law to protect the fishing interests in fresh water lakes and their tributaries,  
Were severally read a third time and concurred in.
- No. 83, A.,  
A bill to appropriate to Robert May a sum of money therein named,  
Was laid over until to-morrow.

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#### BILLS ON THEIR THIRD READING.

- No. 41, A.,  
A bill to exempt members of the Watertown fire department from certain duties therein named,
- No. 84, A.,  
A bill in relation to fees of sheriffs, and amendatory of subdivisions 7 and 33 of section 731 of the revised statutes,

No. 190, A.,

A bill authorizing the city of Racine to purchase additional cemetery grounds,

No. 269, A.,

A bill to amend subdivision 8 of section 461 of the revised statutes, relating to inspection districts and the examination of teachers,

No. 338, A.,

A bill authorizing the special collection of a tax levied by the city of Sheboygan, and omitted in the tax roll of 1879,

Were severally ordered to a third reading.

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### BILLS ON THEIR ENGROSSMENT AND THIRD READING.

No. 81, S.,

A bill to amend section 4395 of the revised statutes of 1878, entitled of offenses against the lives and persons of individuals,

Was ordered engrossed and read a third time.

The amendments to

No. 50, S.,

A bill to provide a salary for justices of the peace in incorporated cities of a population of sixty thousand or upwards,

No. 115, S.,

A bill to appropriate a certain sum of money therein named to the Wisconsin Industrial School for Girls,

No. 227, S.,

A bill to amend section 2731 of the revised statutes of 1878, relating to proceedings by attachment,

Were adopted, and the bills were severally ordered engrossed and read a third time.

No. 250, S.,

A bill to amend section 129 of chapter 11 of the revised statutes, entitled of the state officers.

Senator Rankin offered the following amendment:

Amend by inserting after the word "compensation," the words, "not to exceed \$1,200 per annum."

The bill, with pending amendment, was laid over until to-morrow.

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On motion of Senator Fifield,  
The senate adjourned.

TUESDAY, MARCH 2, 1880.

10 o'CLOCK A. M.

The senate met.

The president in the chair.

Prayer by Rev. Mr. Winter.

The roll was called, and the following senators answered to their names:

Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, Kelly, McFetridge, McGrew, Morgan, Paul, Price, Quarles, Rankin, Ryland, Sacket, Scott, Smith, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman.

The journal of yesterday was approved.

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COMMUNICATION.

OFFICE OF THE REGENTS OF THE UNIVERSITY OF WISCONSIN,  
MADISON, *March 2, 1880.*

HON. JAMES M. BINGHAM,

*President of the Senate:*

DEAR SIR — I am directed by the board of regents to respectfully invite the members and officers of the senate of the state of Wisconsin to attend the opening exercises of the new "Assembly Hall and Library," on the university grounds, this (Tuesday) evening at 8 o'clock.

The exercises will commence promptly at the hour named, but the building will be open for inspection an hour earlier.

Very respectfully,

Your obedient servant,

JOHN S. DEAN,  
*Secretary.*

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LETTERS, PETITIONS, Etc.

Presented and referred.

By Senator Dering:

Petition No. 202, S.,

Of John Knackanberger and 10 others against the erection of Webster county.

To committee on Town and County Affairs.

25 — S. J.

By Senator Dering:

Pet. No. 203, S.,

Of D. Q. Millinon and 19 others of Clark county, against the erection of Webster county.

To committee on Town and County Affairs.

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### REPORTS OF COMMITTEES.

The committee on State Affairs, to whom was referred

No. 189, S.,

A bill to grant to the North Wisconsin Railway Company the optional right to grade forty miles of its railway during the year 1880, in lieu of completing twenty miles thereof during said year, and to define its rights and duties in a contingency therein named,

Have had the same under consideration, and report it back with the recommendation that it do pass.

No. 56, S.,

A bill for the preservation of fish in Dell creek,

With an amendment, and recommend its passage when so amended.

G. B. BURROWS,  
*Chairman.*

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The committee on Town and County Affairs, to whom was referred

No. 204, A.,

A bill to authorize the villages of De Pere and West De Pere to purchase, hold and lease certain real estate for the use of said villages,

No. 353, A.,

A bill to annex certain territory in the town of Jefferson to certain districts in said town,

Have had the same under consideration, and have instructed me to report the same back with the recommendation that they be severally concurred in.

CHAS. L. DERING,  
*Chairman.*

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### MESSAGE FROM THE ASSEMBLY.

By J. E. ELDRED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has passed, and asks concurrence of senate in,

No. 176, A.,

A bill to amend section 1940 of chapter 89 of revised statutes, relating to town insurance companies,

No. 192, A.,

A bill to amend chapter 409 of the general laws of 1864, entitled an act to authorize the village of De Pere and the town of Lawrence to purchase or lease a certain bridge across Fox river,

No. 212, A.,

A bill to authorize Halvor Annunson and John Annunson, their associates or assigns, to construct a dam across and otherwise improve Popple river, a branch of Pine river, in Oconto county, Wisconsin, for logging purposes,

No. 282, A.,

A bill to amend section 4565 of chapter 185 of the revised statutes of 1878, entitled of offenses against public policy,

No. 302, A.,

A bill relating to crimes and the punishment thereof, and to amend sections 4490 and 4494 of the revised statutes,

No. 350, A.,

A bill authorizing the commissioners of public lands of the state of Wisconsin to extend the time of payment of the loan made from the school fund to school district number six, in the town of Union,

No. 229, A.,

A bill to amend section 3774 of chapter 161 of the revised statutes of 1878, relating to fees of justices,

No. 158, A.,

A bill to amend section 1, chapter 47 of the private and local laws of Wisconsin for 1872, entitled an act for the division of the borough of Fort Howard and the town of Lawrence, and the erection of the town of Ashwaubenon in Brown county.

And has refused to concur with the senate in the passage of

No. 144, S.,

A bill to amend section 1979 of chapter 90 of the revised statutes of 1878, relating to organization or protection against fires,

No. 12, S.,

A bill relating to fences,

And has passed, and asks concurrence of senate in

No. 80, A.,

A bill to amend section 914 of the revised statutes, relating to taxes levied by village boards,

No. 175, A.,

A bill to amend section 2 of sub-chapter 3 of chapter 159, of the laws of 1878, relating to the charter of the city of Chippewa Falls, and to revise and re-enact section 10 of sub-chapter 4, and section 4 of sub-chapter 7, and section 3 of sub-chapter 12, and section 10 of sub-chapter 15, of said chapter 159,

No. 239, A.,

A bill to amend section 1623 of the revised statutes, relating to dogs, and exempting Washington county therefrom,

No. 271, A.,

A bill to appropriate to D. G. Cheever, of Rock county, a sum of money therein named,

No. 314, A.,

A bill to amend chapter 67 of the laws of Wisconsin for 1879,

relating to justices of the peace in the city of Watertown, and amendatory of an act entitled an act to incorporate the city of Watertown, and the several acts amendatory thereof,

No. 316, A.,

A bill to lay out and establish a state road from the village of Cumberland, in Barron county, to the village of Deer Park, in St. Croix county,

No. 343, A.,

A bill to amend sections 1785 and 1786 of chapter 86, revised statutes, of the organization of incorporations,

No. 397, A.,

A bill to amend an act entitled an act to amend, revise and consolidate the city charter of the city of Fond du Lac.

I am directed to inform you that the assembly has passed, as amended, and asks concurrence of senate in,

No. 1, A.,

A bill to authorize the commissioners of public lands to loan a portion of the trust funds to the county of Portage,

Which was recalled from the hands of the governor, for reconsideration and amendment.

And asks the return of

No. 12, S.,

A bill relating to fences,

For further consideration.

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#### ASSEMBLY MESSAGE CONSIDERED.

No. 12, S.,

Was ordered returned to the assembly for further consideration.

The assembly amendments to

No. 1, A.,

Were concurred in.

Nos 914, 239, 271, 314, 283, 229 and 302, A.,

Were referred to Judiciary committee.

Nos. 175, 343, 397, 212 and 255, A.,

Were referred to committee on Incorporations.

Nos. 316 and 192, A.,

Were referred to committee on Roads and Bridges.

No. 176, A.,

Was referred to committee on Finance, Banks and Insurance.

No. 350, A.,

Was referred to committee on State Affairs.

No. 158, A.,

Was referred to committee on Town and County Affairs.

On motion of Senator Kelly,

No. 230, S.,

A bill to appropriate a sum of money therein named for the erection in the county of Brown, upon a suitable site to be donated by the citizens of the said county, of an institution for the education of the deaf and dumb,

Was recommitted to a special committee consisting of Senator Kelly.

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### BILLS READY FOR A THIRD READING.

No. 217, S.,

A bill to amend the subdivisions entitled additional powers of peculiar corporations, of chapter 86 of the revised statutes of Wisconsin, entitled of the organization of corporations,

M. C. No. 6, S.,

Memorial to the postmaster general for the establishment of a daily mail between the villages of Excelsior, in Richland county, and Muscoda, Grant county,

Were severally read a third time and passed.

No. 29, S.,

A bill to amend chapter 34 of the revised statutes, entitled of militia and the act amendatory thereof, and to provide for the greater efficiency of the Wisconsin National Guard,

Was read a third time and passed.

The ayes and noes being required, it was decided in the affirmative: ayes 20; noes 9; not voting 4.

The vote was as follows:

*Ayes* — Senators Bennett, Burrows, Chipman, Dering, Fifield, Griffin, Grimmer, Hyde, Kelly, Kellogg, McFetridge, Price, Richardson, Ryland, Sacket, Scott, Thomas, Van Schaick, Van Steenwyk and Woodman — 20.

*Noes* — Senators Anderson, Carter, Haben, McGrew, Morgan, Paul, Rankin, Smith and Weaver — 9.

*Not voting* — Senators Blackstone, Houghton, Quarles, Sutherland — 4.

No. 91, S.,

A bill to appropriate to the Institution for the Education of the Deaf and Dumb a sum of money therein named,

Was read a third time and passed.

The ayes and noes being required, it was decided in the affirmative: ayes, 30; noes, 0; not voting, 3.

The vote was as follows:

*Ayes* — Senators Anderson, Bennett, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Grimmer, Haben, Hyde, Kellogg, Kelly, McFetridge, McGrew, Morgan, Paul, Price, Quarles, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman — 30.

*Noes* — None.

*Not voting* — Senators Blackstone, Houghton and Sutherland — 3.

No. 138, S.,

A bill to appropriate to the Northern Wisconsin Agricultural and Mechanical Association a sum of money therein named,

Was read a third time and passed.

The ayes and noes being required it was decided in the affirmative: ayes, 29; noes, 0; not voting, 4.

The vote was as follows:

*Ayes* — Senators Anderson, Bennett, Blackstone, Carter, Chipman, Dering, Fifield, Griffin, Grimmer, Haben, Hyde, Kellogg, Kelly, McFetridge, McGrew, Morgan, Paul, Price, Quarles, Richardson, Ryland, Sacket, Scott, Smith, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman—29.

*Noes*— None.

*Not voting* — Senators Burrows, Houghton, Rankin and Sutherland—4.

Senator Griffin took the chair.

No. 186, S.,

A bill in relation to the State Historical Society, and appropriating a sum of money,

Was read a third time and passed.

The ayes and noes being required, it was decided in the affirmative; ayes 29; noes 0; not voting 4.

The vote was as follows:

*Ayes* — Senators Bennett, Blackstone, Burrows, Chipman, Dering, Fifield, Griffin, Grimmer, Houghton, Hyde, Kellogg, Kelly, McFetridge, McGrew, Morgan, Paul, Price, Quarles, Richardson, Ryland, Sacket, Scott, Smith, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman — 29.

*Noes* — None.

*Not Voting* — Senators Carter, Haben, Rankin and Sutherland—4.

No. 232, S.,

A bill to appropriate a sum of money therein named to the State Horticultural Society,

Was read a third time and passed.

The ayes and noes being required, it was decided in the affirmative: ayes, 29; noes, 0; not voting, 4.

The vote was as follows:

*Ayes* — Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Grimmer, Haben, Houghton, Hyde, Kelly, McFetridge, McGrew, Morgan, Paul, Price, Quarles, Ryland, Sacket, Scott, Smith, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman — 29.

*Noes* — None.

*Not voting* — Senators Kellogg, Rankin, Richardson and Sutherland — 4.

No. 41, A.,

A bill to exempt members of the Watertown fire department from certain duties therein named,

No. 190, A.,

A bill authorizing the city of Racine to purchase additional cemetery grounds,

No. 269, A.,

A bill to amend subdivision 8 of section 461 of the revised statutes, relating to inspection districts and the examination of teachers,

No. 338, A.,

A bill authorizing the special collection of a tax levied by the city of Sheboygan, and omitted in the tax roll of 1879,

Were severally read a third time and concurred in.

## BILLS ON THEIR THIRD READING.

No. 83, A.,

A bill to appropriate to Robert May a sum of money therein named,

No. 230, A.,

A bill relating to and amendatory of section 2216 of chapter 100 of revised statutes of 1878, entitled of conveyances, etc.,

No. 351, A.,

A bill to legalize the action of the Manitowoc Rapids Mutual Farmer Fire Insurance Company,

No. 356, A.,

A bill relating to justices of the peace, and amendatory of section 86 of chapter 40 of the revised statutes,

No. 357, A.,

A bill to amend subdivision c of section 1946 of chapter 89, revised statutes of 1878, entitled of insurance corporations,

No. 382, A.,

A bill relating to embezzlement, and to amend section 4667 of the revised statutes,

Were severally ordered to a third reading.

No. 259, A.,

A bill to amend chapter 5, section 46 of the revised statutes of 1878, entitled of county canvass,

No. 326, A.,

A bill to amend section 4071 of chapter 176 of the revised statutes of 1878, relating to testimony of defendant in criminal actions,

Were severally indefinitely postponed.

On motion of Senator Thomas,

No. 57, A.,

A bill to provide for the publication of proceedings of county boards of supervisors,

With pending amendments,

Was recommitted to the committee on State Affairs.

On motion of Senator Rankin,

No. 94, A.,

A bill providing for the disposal of redemption money remaining in the hands of county clerks more than six years,

Was recommitted to the Judiciary committee.

On motion of Senator Dering,

No. 223, A.,

A bill to legalize the acts of the Linden Town Mutual Fire Insurance Company in Iowa county,

Was recommitted to the Judiciary committee.

The amendments to

No. 148, A.,

A bill to amend the charter of the city of Ahnapee, Kewaunee county,

Were adopted, and the bill ordered to a third reading.

## BILLS ON THEIR ENGROSSMENT AND THIRD READING.

No. 223, S.,

A bill relating to and amendatory of the charter of the city of Portage,

Was ordered engrossed and read a third time.

The amendments to

No. 82, S.,

A bill to repeal sections 592 and 594 of revised statutes of 1878, relating to public charities, and to amend section 593, R. S. 1878, and to prescribe the procedure for committing persons to the insane hospitals,

No. 147, S.,

A bill to appropriate the sum of one thousand dollars to the Central Wisconsin Agricultural and Mechanical Association,

No. 250, S.,

A bill to amend section 129 of chapter 11 of the revised statutes, entitled of the state officers,

Were adopted, and the bills severally ordered engrossed and read a third time.

No. 135, S.,

A bill to appropriate to the State Agricultural Society the sum of money therein named,

Came up with an amendment.

Senator Richardson offered the following amendment to the amendment:

Amend by striking out the word "annually" in the first line of section 1,

Which was adopted.

The amendment as amended was adopted, and the bill ordered engrossed and read a third time.

The amendments to

No. 259, S.,

A bill to amend the charter of the city of Green Bay,

Were adopted.

On motion of Senator Kelly,

The rules were suspended, and the bill read a third time and passed.

The clerk was instructed to correct the title to correspond with the body of the bill.

On motion of Senator Fifield,

No. 203, S.,

A bill to authorize the counties, towns, cities and school districts of this state to purchase the work therein named,

Was recommitted to a special committee consisting of Senator Fifield.

No. 229, S.,

A bill to appropriate to R. R. Fallows a sum of money therein named.

Senator Quarles offered the following amendment.

Amend by adding to the first section, the following:

"In recognition of his services in aiding in the service of the process of this state, in the performance of which duty he was wounded and crippled for life,"

Which was adopted, and the bill ordered engrossed and read a third time.

No. 57, S.,

A bill to protect certain game birds within this state,

No. 60, S.,

A bill to provide for the inspection of illuminating oils manufactured from petroleum or coal oils, and to regulate the sale thereof, and to repeal section 4359 of chapter 181, revised statutes of 1878,

Were severally laid over till to-morrow.

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### RESOLUTIONS INTRODUCED.

By Senator Scott:

Jt. Res. No. 16, S.,

*Resolved by the senate, the assembly concurring,* That the governor be and he is hereby requested to return to the senate for further consideration, Nos. 30 and 114, S.

Which was adopted.

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On motion of Senator McGrew,  
The senate adjourned.

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WEDNESDAY, MARCH 3, 1880.

The senate met.

The president in the chair.

Prayer by the Rev. Mr. Winter.

The roll was called, and the following senators answered to their names:

Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, Kelly, McFetridge, McGrew, Morgan, Paul, Price, Quarles, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman.

The journal of yesterday was approved.

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### LETTERS, PETITIONS, Etc.

Presented and referred.

By Senator Van Schaick:

Pet. No. 204, S.,

Of Charles Fingado, A. D. Mower, L. L. Gidley and 19 others

against the passage of any bill changing existing laws relating to taxation of life insurance companies.

To committee on Finance, Banks and Insurance.

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### RESOLUTIONS INTRODUCED.

By Senator Blackstone:

Jt. Res. No. 17, S.,

Requesting the governor to return No. 85, S., to the senate for further consideration.

*Resolved by the senate, the assembly concurring,* That the governor be and he is hereby requested to return to the senate for further consideration No. 85, S.

Adopted.

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### REPORTS OF COMMITTEES.

The committee on Judiciary, to whom was referred

No. 152, S.,

A bill amendatory of chapter 217, laws of 1874, entitled an act to appropriate to James Reynolds and John Fellenz a sum of money therein named, and to authorize them to bring an action against the state for the amount of their claim not covered by such appropriation,

Have had the same under consideration, and have instructed me to report the same back with the recommendation that it do pass.

Senators Houghton and Griffin dissenting.

No. 202, S.,

A bill to amend section 12 of chapter 84 of the private and local laws of 1864, entitled an act to incorporate the Black River Improvement Company, approved February 23, 1864,

Have had the same under consideration, as to the constitutional power of the legislature, and instruct me to report the same back with the opinion that the legislature has the power to grant to the Black River Improvement Company authority to improve such river and erect dams, etc., thereon for such purpose; but cannot grant to such company a right to destroy or essentially impair the natural value of the Blacksnake for navigable purposes, whereby the existing franchises of any company occupying the Blacksnake would be destroyed, without a provision for just compensation therefor.

Senators Houghton, Griffin and Blackstone dissenting.

H. E. HOUGHTON,  
*Chairman.*

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The committee on Town and County Affairs, to whom was referred

No. 185, S.,

A bill for the division of the counties of Clark and Marathon, and for the erection of the county of Webster,

With the pending amendment and petitions relating thereto,  
Have had the same under consideration, and have instructed me  
to report the same back with recommendation that they be indefinitely postponed.

No. 346, A.,

A bill to amend sections 854 and 855 of chapter 40, revised statutes of 1878, entitled of villages,

No. 158, A.,

A bill to amend section 1 of chapter 47 of the private and local laws of Wisconsin for the year 1872,

Have had the same under consideration, and have instructed me  
to report the same back with recommendation that they severally  
be concurred in.

CHAS. L. DERING,  
*Chairman.*

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The committee on Incorporations, to whom was referred

No. 175, A.,

A bill to amend section 2 of sub-chapter 3 of chapter 159, charter of Chippewa Falls, and to revise and re-enact section 10 of sub-chapter 4, and section 4 of sub-chapter 7, and section 3 of sub-chapter 12, and section 10 of sub-chapter 15, of said chapter 159,

No. 194, A.,

A bill to authorize G. W. Cate and N. N. McLeod to build a dam across, for flooding purposes, and otherwise improve Spirit river, in Price county, Wisconsin,

No. 301, A.,

A bill to authorize Thomas J. La Flesh to maintain dams on the east fork of Black river in the counties of Wood, Clark and Jackson,

No. 306, A.,

A bill to authorize P. B. Champagne to build and maintain a dam across the Wisconsin river in Lincoln county,

Have had the same under consideration, and report them back with the recommendation that they be concurred in.

No. 192, S.,

A bill to amend chapter 171 of the private and local laws of 1868, entitled an act to incorporate the Wisconsin River Improvement Company, and to amend chapter 298 of the laws of 1876, amendatory thereof,

With an amendment, and recommendation that it do pass when so amended.

No. 16, S.,

A bill to authorize John Phelps, his associates or assigns, to erect and maintain a dam across the Wisconsin river, and make other improvements in the Wisconsin river in Lincoln county,

Report the same back with an amendment, and recommend that it do pass when so amended.

GEO. GRIMMER,  
*Chairman.*

No. 175, A., was recommitted to special committee consisting of Senator Scott.

The committee on Engrossed Bills have examined and find correctly engrossed,

No. 50, S.,

A bill to provide a salary for justices of the peace in incorporated cities of a population of sixty thousand or upwards,

No. 81, S.,

A bill to amend section 4395 of the revised statutes of 1878, entitled of offenses against the lives and persons of individuals,

No. 115, S.,

A bill to appropriate a certain sum of money therein named to the Wisconsin Industrial School for Girls,

No. 227, S.,

A bill to amend section 2731 of the revised statutes of 1878, relating to proceedings by attachment,

No. 82, S.,

A bill to repeal sections 592 and 594 of revised statutes of 1878, relating to public charities, and to amend section 593, R. S. 1878, and to prescribe the procedure for committing persons to the insane hospitals,

No. 135, S.,

A bill to appropriate to the State Agricultural Society the sum of money therein named,

No. 147, S.,

A bill to appropriate the sum of one thousand dollars to the Central Wisconsin Agricultural and Mechanical Association,

No. 223, S.,

A bill relating to and amendatory of the charter of the city of Portage,

No. 229, S.,

A bill to appropriate to R. R. Fellows a sum of money therein named,

No. 250, S.,

A bill to amend section 129 of chapter 11 of the revised statutes, entitled of state officers.

GEO. W. RYLAND,  
*Chairman.*

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The committee on Enrolled Bills have examined and find correctly enrolled, .

No. 184, S.,

A bill to allow general accident insurance companies to do business in this state.

W. T. PRICE,  
*Chairman pro tem.*

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The committee on Agriculture, to whom was referred

No. 50, A.,

A bill authorizing and allowing horses, mules, cattle and sheep to run at large upon uninclosed lands in the county of Vernon,

Have had the same under consideration, and report it back with the recommendation that it be concurred in.

JOHN W. BLACKSTONE,  
*Chairman.*

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The committee on State Affairs, to whom was referred  
No. 86, S.,

A bill to amend section 4565 of the revised statutes, relating to certain game,

Have had the same under consideration, and instructed me to report it back with the recommendation that it do pass.

GEO. B. BURROWS.  
*Chairman.*

On motion of Senator Quarles,

The rules were suspended, and the bill was read a third time and passed.

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The committee on Roads and Bridges, to whom was referred  
No. 316, A.,

A bill to lay out and establish a state road from the village of Cumberland, in Barron county, to the village of Deer Park, in St. Croix county,

Have had the same under consideration, and have instructed me to report the same back with the recommendation that it be non-concurred in.

No. 192, A.,

A bill to amend chapter 409 of the general laws of 1864, entitled an act to authorize the village of De Pere and the town of Lawrence to purchase or lease a certain bridge across Fox river,

With the recommendation that it be concurred in.

J. B. BENNETT,  
*Chairman.*

On motion of Senator Fifield,

No. 316, A.,

Was recommitted to the committee on Roads and Bridges.

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The committee on Railroads to whom was referred  
No. 98, S.,

A bill to authorize the St. Paul & Chicago Short Line Railway Company to construct a bridge over Lake St. Croix,

Have had the same under consideration, and report the same back with an amendment, and recommend that it do pass when so amended.

No. 169, S.,

A bill to amend section 1795 of the revised statutes, relating to corporations,

With the recommendation that it do pass.

No 256, S.,

A bill to authorize the St. Paul & Chicago Short Line Railroad Company to construct bridges over the Chippewa and Wisconsin rivers,

With the recommendation that it be referred to a committee of one, consisting of the senator from the 14th.

No. 220, S.,

A bill to amend section 1798, chapter 87, revised statutes of 1878, entitled of railroads,

With the recommendation that it be indefinitely postponed.

No. 39, S,

A bill to promote the development of the unsettled portions of northern Wisconsin and to encourage the building of railroads therein,

With the recommendation that it do pass.

H. S. SACKET,  
*Chairman.*

So ordered as to No. 256, S.

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The committee on Enrolled Bills have examined and find correctly enrolled the following bills:

No. 87, S.,

A bill to appropriate to the superintendent of public property a sum of money therein named, to purchase the necessary stationery for the use of the legislature and state officers for the ensuing year,

No. 96, S.,

A bill to authorize the Iowa County Agricultural Society to donate to the Mineral Point Railroad company a piece of land,

No. 113, S.,

A bill to authorize Thos. B. Wilson, Andrew Tainter, William Wilson, Henry L. Stout, John H. Knapp, J. H. Douglas, their associates, successors and assigns, to erect and maintain a dam across Hemlock creek, in Chippewa county, on lands owned by the Knapp, Stout & Co. Company,

No. 158, S.,

A bill authorizing judgments of the supreme court to be docketed in the circuit court,

No. 164, S.,

A bill in relation to costs and fees, and amendatory of section 2927 of the revised statutes of 1878,

No. 174, S.,

A bill to repeal certain provisions of sections 2478 of the revised statutes, relating to juries in county courts,

No. 199, S.,

A bill to repeal chapter 205 of the laws of Wisconsin of 1879, entitled an act to limit the number of terms to which a person may be eligible to the office of county treasurer,

No. 214, S.,

A bill to legalize the action of the board of supervisors of Lincoln county,

No. 219, S.,

A bill to amend section 1 of chapter 80 of private and local laws of 1855, entitled an act supplementary to an act to incorporate the Milwaukee Mechanics' Mutual Insurance Company, relating to restrictions in the bringing of suits,

M. C. No. 4, S.,

For a modification of the existing laws respecting the payment of pensions to disabled soldiers and sailors,

M. C. No. 7, S.,

For sale of a portion of the Menomonee reservation in the county of Shawano,

M. C. No. 8, S.,

Memorial to congress for an adequate appropriation for the improvement of the harbor of Green Bay,

No. 42, S.,

A bill to amend section 2437 of the revised statutes, in relation to phonographic reporters.

WM. T. PRICE,  
*Chairman pro tem.*

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The committee on Finance, Banks and Insurance, to whom was referred

No 253, S.,

A bill amending section 1220, chapter 51 of the revised statutes, in relation to license fees of life and accidental insurance companies doing business in the state of Wisconsin,

Have had the same under consideration, and beg leave to report as follows:

The subject of life insurance companies and their taxation is not a new one; it has come up before the legislature of this state in various forms from year to year, until it culminated, in 1879, in a bill, which asked the taxation of such companies in this state to the amount of one per centum on the premium returns accumulated by business done in this state, which, if it had become a law, would have imposed a tax of thirty-six thousand (36,000) dollars annually, or over, on the Northwestern Mutual Life Insurance Company of Milwaukee, for its business in Wisconsin, and of well nigh one hundred thousand (100,000) dollars more under retaliatory laws on the business of that company in other states, a burden so heavy that it would virtually have amounted, if it could have been constitutionally enforced, to a prohibition to do business in this state.

The attempt to lay an additional tax on life insurance companies is now renewed in the bill under consideration, by means of increased license fee. It proposes to levy annually a tax of five (5) per centum on the premium returns of the next preceding year, in lieu of two (2) per centum, as the existing law requires; in other words, the bill proposes to increase an annual tax of about five thousand (5,000) to one of about twelve thousand five hundred (12,500) dollars, over and above the license fee of three hundred (300) dollars annually, which is paid by life, fire, and accident insurance companies.

In justification of such proposed legislation, it is asserted by the friends of the bill that the company at which the bill practically aims exclusively, is a wealthy corporation, owning an accumulated property of over eighteen millions (18,000,000) of dollars, fifteen millions (15,000,000) whereof are neither invested in real estate nor in U. S. bonds, and that it should pay a fair proportion of the taxes, but that, as the law stands, it does escape by the payment of a merely nominal sum, as license fee.

Your committee looks on the subject in a different light. If it is true that the Northwestern Mutual Life Insurance Company owns a more or less productive capital of eighteen (18) millions of dollars, it is also and equally true that this company has taken upon itself liabilities of about sixty-one (61) millions of dollars, and is only able to meet these liabilities (when they gradually become due, mainly by the death of the insured), by these accumulated premiums, by the interest on the same, and by the annual premiums that are periodically falling due.

If the Northwestern Mutual Life Insurance Company should deem it proper at any future time to wind up its business, it would require all of, and perhaps more, than the whole fifteen (15) millions upon which it is claimed that additional tax should be levied to effect safe reinsurance in other reliable and prospering companies, so that it would seem that there is a valid offset of fifteen (15) millions on account of the liabilities which the company has incurred, and that there really remains no taxable property owned by the company to tax, the remaining three (3) millions being invested in real estate, which is regularly taxed as that of other corporations and individuals, and in U. S. bonds, which are exempt from taxation.

It is contended, that a company which has been able to pay to its members in one single year, dividends to an amount of nearly eight hundred thousand (800,000) dollars, must be the owner of a large and remunerative capital.

Those who share this opinion lose out of view, that this company is a mutual company, and that when it is ascertained that there is surplus capital in its treasury to an amount not required for the apparent absolute safety of the insured, that then the company is bound by the conditions of its policies and charter to distribute periodically such surplus *pro rata* among its members.

The word *dividend*, which usually conveys to the mind the idea of profit on capital invested, is, in the opinion of your committee, not the proper term for money so distributed *pro rata*, as it is simply the restitution to the insured of a certain amount not needed to meet the expected liabilities of the company, by applying the same to the payment of installments on running or new policies issued to the insured.

Further, it deserves consideration that the amount invested in life insurance is entirely beyond the control of the policy holder, is no longer in any sense his active capital, does not bring him any profits, and cannot even be recovered by him but at a large sacrifice in proportion to the amount actually invested.

Your committee is not of opinion that life insurance companies are charitable institutions, and safeguards against pauperism, and that therefore they ought to be absolutely exempt from taxation, but it does firmly believe that they constitute an excellent and most desirable medium, to protect against increasing want and destitution of many worthy people in every community; that they check and counteract such unfortunate tendencies in thousands of families, and that therefore in the most civilized societies they are beneficent auxiliaries in promoting general well being and preventing tendencies toward misery and degradation.

The beneficent characteristics of life insurance are so well understood in all parts of the civilized world, that these companies have everywhere been fostered and protected, and that they have in general not been burdened by taxation. By statute 16 and 17 Vict., Great Britain allows each policy holder, who is liable to income tax, to deduct in his return the amount of premiums paid by him on life policies up to the extent of one-sixth of his income. Hon. Peter Doyle, secretary of state and ex-officio commissioner of insurance of this state in 1874, states in his report, page 93: "The tendency of legislation, in the states and countries where the subject has received the most attention, seems to be towards diminishing the taxing of life companies."

There is, as far as is known to your committee, only one state in the Union where a heavy burden of taxation is laid on life insurance companies. The state of Connecticut lays a tax of one-half of one per centum on the taxable property of such companies, and it is believed by many who have given the subject careful attention, that this burdensome tax is sapping and undermining the companies of that state to such a degree that, notwithstanding their high standing and reputation and the high development they have attained during former years of success and prosperity, they will, unless the obnoxious laws are repealed, suffer and succumb in the unequal contest with other companies.

Your committee cannot recommend that this state should even distantly follow the dangerous example referred to, so as to threaten the Northwestern Life Insurance Company in its present usefulness, but would rather see the field of its labors extended, and have it recommended to the fostering care of a state, where it has, under exemplary management, risen to one of the most prosperous and trustworthy, to one of the strongest institutions of the kind in this whole country.

The committee does not desire to question or dispute the right to assess the property of this company, as all similar property of other corporations and of individuals is assessed and taxed, though it holds to the opinion that this is the duty of the assessor in the place where the company is located and has its principal business office, and that it does not belong to the labors and attributes of a state legislature to assess property; the committee, however, does believe that the state has an undoubted right to raise the license for transacting the business of life insurance in this state to any amount it may deem fit or desirable.

But as a matter of state policy of high importance for the people in general, and for the individuals as members of such company more directly interested, your committee would deem it a calamity if the state should make such use of its power as to endanger by increased taxation the prosperity of the Northwestern Mutual Life Insurance Company in its competition with similar companies of other states, where they are either altogether free from taxation or but lightly taxed.

Your committee, on account of the foregoing considerations, have instructed me to report the bill back to the senate,

And recommend that the further consideration of the same be indefinitely postponed.

G. VAN STEENWYK,  
*Chairman.*

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#### REPORTS OF SELECT COMMITTEES.

The special committee to whom was referred  
No. 167, S.,

A bill to consolidate and amend an act entitled an act to incorporate the city of Madison, and the several acts amendatory thereof,

Have had the same under consideration, and beg leave to report sundry amendments, and recommend the passage of said bill when so amended.

G. B. BURROWS,  
MATT. ANDERSON,  
*Committee.*

On motion of Senator Burrows,  
The rules were suspended, and  
No. 167, S.,

Was read a third time and passed,

And the chief clerk was instructed to have the bill engrossed.

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The select committee consisting of the senators of Milwaukee county, to whom was referred

No. 242, A.,

A bill to amend an act entitled an act to incorporate the chamber of commerce of the city of Milwaukee, approved February 29, 1868,

Have had the same under consideration, and report it back with the recommendation that it be concurred in.

EDWIN HYDE,  
I. W. VAN SCHAIK,  
GEO. H. PAUL,  
*Committee.*

## EXECUTIVE COMMUNICATION.

STATE OF WISCONSIN,  
*Executive Department,*  
MADISON, *March 3, 1880.*

*To the honorable the senate:*

The following entitled bills, originating in the senate, have been approved, signed and deposited in the office of the secretary of state:

No. 31, S.,

An act to provide compensation for completing the transcribing of the senate and assembly journals,

No. 43, S.,

An act to authorize the superintendent of public property to furnish stationery and postage stamps to the employes of the senate and assembly, and to make an appropriation therefor,

No. 61, S.,

An act to appropriate to the Institution for the Education of the Deaf and Dumb, a sum of money therein named.

No. 110, S.,

An act to authorize Henry L. Stout, John H. Douglas, William Wilson, John H. Knapp, Andrew Tainter and Thomas B. Wilson, their associates and assigns, to erect and maintain a dam across Hemlock creek, in Barron county, on land owned by the Knapp, Stout & Co. Company,

No. 122, S.,

An act in relation to the apportionment of certain school moneys to district No. 3, of the town of Mequon, in the county of Ozaukee, for the year 1880,

No. 99, S.,

An act to appropriate a sum of money therein named,

No. 112, S.,

An act to authorize John H. Knapp, Andrew Tainter, Thomas B. Wilson, Henry L. Stout, William Wilson and John H. Douglas, their associates and assigns to construct and maintain a dam across Hemlock creek, in Chippewa county, on lands owned by the Knapp, Stout & Co. Company,

No. 72, S.,

An act authorizing the towns of Sigel and Flambeau in Chippewa county, Wisconsin, to levy a special tax for the purpose of paying off certain bonds, and empowering the board of supervisors of Chippewa county to adjust the indebtedness of said towns,

No. 59, S.,

An act to appropriate to the Institution for the Education of the Blind a sum of money therein named,

No. 8, S.,

An act to appropriate a certain sum of money therein named to George W. Perry,

No. 3, S.,

An act to amend chapter 167, general laws 1879, entitled an act

to amend sections 3329 and 3330 of the revised statutes of 1878, entitled of liens,

No. 15, S.,

An act to authorize James McCrossen and others to build a dam across and otherwise improve Spirit river, in Lincoln county, Wisconsin,

No. 18, S.,

An act to appropriate to the commissioners of fisheries a certain sum therein named,

No. 23, S.,

An act to amend sections 3875 and 3878 of the revised statutes of 1878, relating to the sale of lands by executors and administrators,

No. 27, S.,

An act in relation to proceedings in criminal cases in justices courts, and amendatory of section 4760 of chapter 194 of the revised statutes,

No. 48, S.,

An act to amend section 4415, revised statutes 1878, relating to punishment for larceny,

No. 66, S.,

An act to extend the time limited in chapter 281, private and local laws of 1870, entitled an act to authorize Diedrich Van Hollan to keep and maintain a ferry across the St. Croix river,

No. 71, S.,

An act to legalize the acts of L. S. Rolleston, county clerk in and for the county of Columbia,

No. 73, S.,

An act to create the Kewaunee Harbor Commission and define their duties,

No. 84, S.,

An act to legalize the official acts of Alois Neuburg, a justice of the peace in the county of La Crosse,

No. 108, S.,

An act to authorize the justices of the peace elected in the several wards of the city of Plymouth, to keep an office and perform their duties in any part of said city,

No. 109, S.,

An act to authorize William Wilson, Andrew Tainter, John H. Knapp, Henry L. Stout, Thos. B. Wilson and John H. Douglas, their associates and assigns, to construct and maintain a dam across Hay river in Barron county, on lands owned by the Knapp, Stout & Co. Company,

No. 160, S.,

An act to authorize A. E. Sawyer, David Austin and Richard Dewhurst to build and maintain a dam across Black river,

No. 177, S.,

An act to authorize John H. Knapp, Henry L. Stout, Andrew Tainter, William Wilson, Thomas B. Wilson and John H. Douglas, their associates and assigns, to erect and maintain a dam across the Red Cedar river, on lands owned by the Knapp, Stout & Co. Company,

No. 187, S.,

An act to legalize the action of the board of supervisors of the county of Polk, in setting off and creating the town of Georgetown, in said county,

No. 188, S.,

An act to authorize the Chicago, St. Paul & Minneapolis Railway Company to abandon, under certain conditions, that portion of its railway lying between North Wisconsin Junction and the St. Croix Lake,

No. 200, S.,

An act to amend chapter 58 of the private and local laws of 1859, entitled an act to incorporate the Madison Gymnastic Association,

No. 213, S.,

An act to amend chapter 3 of chapter 72 of the private and local laws of 1858, entitled an act to incorporate the city of Ripon.

WILLIAM E. SMITH.

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### MESSAGE FROM THE ASSEMBLY.

By J. E. ELDBRED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has adopted, and asks concurrence of senate in the passage of

Jt. Res. No. 29, A.,

Requesting Mrs. Marion V. Dudley to furnish her address on Women Suffrage for publication, and authorizing the publication of 1,000 copies of same for the use of the legislature.

And has passed, and asks concurrence of senate in

No. 217, A.,

A bill to amend section 1 of sub-chapter 8 of chapter 184 of the laws of 1874, entitled an act to revise, consolidate and amend the charter of the city of Milwaukee, approved February 20, 1852, and the several acts amendatory thereof,

And has concurred in

Jt. Res. No. 17, S.,

Requesting the governor to return No. 87, S., to the senate for further consideration,

And has concurred with the senate in the passage of

No. 90, S.,

A bill to appropriate to the Industrial School for Boys a certain sum of money for current expenses,

No. 55, S.,

A bill to amend the articles of association of the Chicago, Milwaukee & St. Paul Railway Company,

Jt. Res. No. 16, S.,

Requesting the governor to return to the senate for further consideration, Nos. 30 and 114, S.,

And has amended and concurred in

No. 12, S.,

A bill relating to fences,

No. 137, S.,

A bill to amend section 2922 of the revised statutes, concerning costs and fees allowed to parties in circuit courts,

And has receded from its amendments to

No. 201, S.,

A bill to amend section 1480 of the revised statutes of 1878, relating to the prevention of the spread of noxious weeds,

And has concurred with the senate in amendments to

No. 79, A.,

A bill to amend chapter 141 of the laws of 1879, in relation to the distribution of Blue Books,

Jt. Res. No. 15, A.,

Relating to furnishing copies of volumes No. 2 and 3 of the Geological Survey to members of the legislature and others,

And has passed, and asks concurrence of senate in the passage of,

No. 390, A.,

A bill to authorize the towns of Carleton, Krok and Pierce, in Kewaunee county, to vote upon the question of voting aid for the construction of Kewaunee harbor, Kewaunee county,

No. 222, A.,

A bill to vacate part of the Milwaukee and Waukesha plank road in Milwaukee county,

M. C. No. 8, A.,

Memorial to congress for an appropriation to restore the Oconto river from the city of Oconto to its mouth to a navigable condition, to straighten and shorten its channel and protect its mouth,

And has concurred with the senate in

No. 231, S.,

A bill to amend section 2424 of the revised statutes, relating to the time of holding court in Barron county,

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#### ASSEMBLY MESSAGE CONSIDERED.

Jt. Res. No. 29, A.,

Was adopted.

Nos. 390 and 137, A.,

With pending amendments, were referred to the Judiciary committee.

No. 222, A.,

Was referred to the committee on Roads and Bridges.

M. C. No. 8, A.,

Was referred to the committee on Federal Relations.

The assembly amendments to

No. 12, S.,

Were concurred in.

No. 217, A.,

Was referred to the Milwaukee Delegation.

## BILLS READY FOR A THIRD READING.

No. 189, S.,

A bill to grant to the North Wisconsin Railway Company the optional right to grade 40 miles of its railway, during the year 1880, in lieu of completing twenty miles thereof during said year, and to define its rights and duties in a contingency therein named,

Was read a third time and passed,

And the chief clerk was directed to correct the title to correspond with the body of the bill.

No. 148, A.,

A bill to amend the charter of the city of Ahnapee, Kewaunee county,

No. 230, A.,

A bill relating to and amendatory of section 2216 of chapter 100 of revised statutes of 1878, entitled of conveyances, etc.,

No. 351, A.,

A bill to legalize the action of the Manitowoc Rapids Mutual Farmer Fire Insurance Company,

No. 356, A.,

A bill relating to justices of the peace, and amendatory of section 86 of chapter 40 of the revised statutes,

No. 357, A.,

A bill to amend subdivision c of section 1946 of chapter 89, revised statutes of 1878, entitled of insurance corporations,

No. 382, A.,

A bill relating to embezzlement, and to amend section 4667 of the revised statutes,

Were severally read a third time and concurred in.

No. 83, A.,

A bill to appropriate to Robert May a sum of money therein named,

Was read a third time and concurred in.

The ayes and noes being required, it was decided in the affirmative: ayes, 23; noes, 0; not voting, 10.

The vote was as follows:

*Ayes* — Senators Anderson, Blackstone, Burrows, Chipman, Dering, Fifield, Griffin, Grimmer, Hyde, Kellogg, Kelly, McFetridge, McGrew, Paul, Price, Quarles, Richardson, Ryland, Scott, Thomas, Van Schaick, Van Steenwyk and Woodman — 23.

*Noes* — None.

*Not voting* — Senators Bennett, Carter, Haben, Houghton, Morgan, Rankin, Sacket, Smith, Sutherland and Weaver — 10.

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BILLS ON THEIR THIRD READING.

No. 204, A.,

A bill to authorize the villages of De Pere and West De Pere to purchase, hold and lease certain real estate for the use of said villages,

No. 353, A.,

A bill to annex certain territory in the town of Jefferson to certain school districts in said town,

Were severally ordered to a third reading.

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## BILLS ON THEIR ENGROSSMENT AND THIRD READING.

No. 57, S.,

A bill to protect certain game birds within this state.

Senator Griffin offered the following amendment:

Amend section 1 of the printed bill by inserting after the word "state" in the second line, the following words, viz: "Except as hereinafter provided."

Amend further by adding to said section one the following proviso:

Provided, that the provisions of this section shall not apply to that portion of the state lying north of the northern boundary lines of the counties of Vernon, Sauk, Columbia, Dodge, Washington and Ozaukee.

Amend further, by inserting after the word "within" in the second line of section 2 of the printed bill, the following: "That portion of the state lying south of the northern boundary line of the counties of Vernon, Sauk, Columbia, Dodge, Washington and Ozaukee."

Also amend by striking out the words "this state," where they occur in the second line of section two of printed bill.

The amendments were adopted, and the bill was ordered engrossed and read a third time.

The amendments to

No. 56, S.,

A bill for the preservation of fish in Dell creek,

Were adopted, and the bill was ordered engrossed and read a third time.

President *pro tem.* Scott took the chair.

The amendments to

No. 60, S.,

A bill to provide for the inspection of illuminating oils manufactured from petroleum or coal oils, and to regulate the sale thereof, and to repeal section 4359 of chapter 181, revised statutes of 1878,

Were adopted.

Senator Bennett offered the following amendments:

Amend bill as reported back by the committee on Manufactures and Commerce with amendments, as follows:

Amend section 1 by striking out the word "fourth" in the fourth line, and insert the word "fifth."

Amend section 4 by striking out the words "and in testing carload lots he shall test one barrel in every ten of said lot, and receive six cents per barrel for every barrel in the carload lot."

Amend section 9 by adding, " And every such inspector shall on the first day of each month, remit one cent for each barrel he may have tested during the preceding month to the said secretary of the state board of health, which payments shall be the salary of the said secretary of "supervisors of inspectors of illuminating oils."

Section 10. Nothing contained in the provisions of this act shall be construed as to prevent merchants in this state to keep in their warehouses, and to tranship to other states and territories, illuminating oils of a grade below the fire test prescribed for this state.

Section 11. This act shall take effect and be in force from and after its passage and publication.

On motion of Senator Bennett,

Further consideration of the bill, with pending amendments, was laid over until to-morrow.

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On motion of Senator Van Schaick,  
The senate adjourned.

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THURSDAY, MARCH 4, 1880.

The senate met.

The president in the chair.

Prayer by the Rev. Mr. Winter.

The roll was called, and the following senators answered to their names:

Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, Kelly, McFetridge, McGrew, Morgan, Paul, Price, Quarles, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman.

The journal of yesterday was approved.

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#### LEAVES OF ABSENCE.

Senator Van Schaick asked for indefinite leave of absence.

Senator Hyde objecting, the question was put, and the senate refused to grant leave.

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#### RESOLUTIONS INTRODUCED.

By Senator Price:

Res. No. 28, S.,

*Resolved*, That the assembly is hereby requested to return to the senate for further consideration, No. 391, A.

Adopted.

## REPORTS OF COMMITTEES.

The committee on State Affairs, to whom was referred

No. 165, A.,

A bill relating to the assessment of personal property for taxation, and to amend section 1040 of the revised statutes,

No. 169, A.,

A bill to authorize the city of Neenah to borrow money,

No. 224, A.,

A bill authorizing the city of Racine to borrow money from any available fund of said city for the support of paupers,

No. 340, A.,

A bill relating to the killing of deer in Door county, and amendatory of section 4 of chapter 40 of the laws of 1879,

No. 350, A.,

A bill authorizing the commissioners of public lands of the state of Wisconsin to extend the time of payment of the loan made from the school fund to school district number six, in the town of Union, Rock county,

No. 104, A.,

A bill to limit the number of terms to which a person may be eligible to the office of county treasurer,

Have had the same under consideration, and instruct me to report the same back with the recommendation that the same be concurred in,

Senator Burrows dissenting as to No. 104, A.

No. 57, A.,

A bill to provide for the publication of proceedings of county boards of supervisors,

With pending amendment, and recommend its concurrence when so amended.

No. 2, A.,

A bill to amend section 1 of chapter 192, laws of 1879, entitled an act to regulate the sizes of meshes of nets used in the waters of Lake Michigan, and the waters of Green Bay, and the waters of Lake Superior, and for the better enforcement of the fish and game laws of the state, and to repeal section 4563 of the revised statutes,

With the recommendation that it be referred to the Lake Shore senators.

No. 102, A.,

A bill to authorize the commissioners of public lands to loan a portion of the trust funds to the city of Stevens Point, Portage county, to enable said city to pay off and cancel a portion of its bonded indebtedness,

With the recommendation that it be indefinitely postponed.

G. B. BURROWS,  
*Chairman.*

So ordered as to No. 2, A.

The committee on Judiciary, to whom was referred

No. 146, S.,

A bill to appropriate to the county of Kenosha a certain sum of money therein named,

Have had the same under consideration, and report the same back with the recommendation that it do pass.

No. 38, S.,

A bill to appropriate to Dodge county a sum of money therein named,

Have had the same under consideration, and instruct me to report the same back with amendment, and recommend its passage when so amended.

No. 6, S.,

A bill for the prevention of cruelty to minors,

No. 161, S.,

A bill to provide for the better accommodation of the incurable insane of Waupaca county,

No. 258, S.,

A bill to appropriate to Wood county a sum of money therein named,

No. 262, S.,

A bill to regulate the disbursement of public money in certain cases, and prescribing penalties for misappropriation thereof,

Report the same back with amendments, and recommend that they do pass when so amended.

Jt. Res. No. 14, S.,

Joint resolution for the final adjustment of the demand therein mentioned,

With the recommendation that it be indefinitely postponed.

Senators Kellogg, Rankin and Paul dissenting.

Communication of Simeon Mills, relating to his suit with the state,

Report the same back by bill, and recommend the passage of the bill.

Said bill became No. 265, S.

No. 137, S.,

A bill to amend section 2922 of the revised statutes, concerning costs and fees allowed to parties in circuit courts,

With the recommendation that the assembly amendment be concurred in.

On motion of Senator Griffin,

The rules were suspended, and the assembly amendment concurred in.

No. 223, A.,

A bill to legalize the acts of the Linden Town Mutual Fire Insurance Company in Iowa county,

With amendment, and recommend that it be concurred in when so amended.

No. 390, A.,

A bill to authorize the towns of Carlton, Krok and Pierce to vote upon the question of voting aid for the construction of Kewaunee harbor, Kewaunee county,

With the recommendation that it be concurred in.

H. E. HOUGHTON,  
*Chairman.*

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The committee on Incorporations, to whom was referred  
No. 377, A.,

A bill to amend chapter 6 of chapter 474 of the private and local laws of 1866, entitled an act to reduce the act incorporating the city of Janesville, and the several acts amendatory thereof, into one act, and to amend the same, approved April 12, 1866,

Have had the same under consideration, and report the same back with amendments, and recommend that it be concurred in when so amended.

GEO. GRIMMER,  
*Chairman.*

On motion of Senator Richardson,

The rules were suspended, the amendments were adopted, and the bill was read a third time and concurred in.

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The committee on Agriculture, to whom was referred  
No. 4, S.,

A bill to permit the boards of supervisors of counties to exempt their respective counties from the provisions of sections 1623, 1624 and 1625 of the revised statutes of 1878, providing for the taxation of dogs,

Have had the same under consideration, and respectfully report it back with an amendment, and recommend its passage when so amended.

No. 228, A.,

A bill to amend section 1390 of chapter 55 of the revised statutes of 1878, relating to fences,

And recommend that it be concurred in.

JOHN W. BLACKSTONE,  
*Chairman.*

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The committee on Federal Relations, to whom was referred so much of the governor's message as relates to river and harbor improvements, would respectfully report that they have had such subject under consideration, and beg leave to report the following:

Jt. Res. No. 18, S.,

Relating to the improvement of the Wisconsin and Fox rivers,  
With the recommendation that it be adopted.

The resolution was adopted.

M. C. No. 8, A.,

Memorial to congress for an appropriation to restore the Oconto river from the city of Oconto to its mouth, to a navigable condition, to strengthen and shorten its channel, and protect its mouth,

M. C. No. 13, A.,

Memorial to congress for an appropriation for the harbor at Manitowoc,

Have had the same under consideration, and instruct me to report them back with the recommendation that they be concurred in.

M. GRIFFIN,  
*Chairman.*

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The committee on Engrossed Bills have examined and find correctly engrossed,

No. 56, S.,

A bill for the preservation of fish in Dell creek,

No. 57, S.,

A bill to protect certain game birds within this state,

GEO. W. RYLAND,  
*Chairman.*

---

The joint committee on Claims to whom was referred,

No. 70, S.,

A bill to appropriate to the state printer a sum of money therein named,

Have had the same under consideration, and have instructed me to report the bill back with the recommendation that it be indefinitely postponed.

No. 263, S.,

A bill to authorize the secretary of state to subscribe for biographical sketches of members of the constitutional conventions of 1846 and 1847-8,

With the recommendation that the bill do pass.

WM. T. PRICE,  
*Chairman.*

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The committee on Finance, Banks and Insurance, to whom was referred

No. 176, A.,

A bill to amend section 1940 of chapter 89 of revised statutes, relating to town insurance companies,

Have had the same under consideration, and have instructed me to report the same back with amendments, and recommend that it be concurred in when so amended.

G. VAN STEENWYK,  
*Chairman.*

---

The committee on Enrolled Bills have examined and find correctly enrolled,

No. 201, S.,

A bill to amend section 1480 of the revised statutes of 1878, relating to the prevention of the spread of noxious weeds,

No. 55, S.,

A bill to amend the articles of association of the Chicago, Milwaukee & St. Paul Railway Company,

No. 90, S.,

A bill to appropriate to the Industrial School for Boys a certain sum of money for current expenses,

No. 231, S.,

A bill to amend section 2424 of the revised statutes, relating to the time of holding court in Brown county,

No. 12, S.,

A bill relating to fences.

W. T. PRICE,  
*Chairman pro tem.*

### REPORTS OF SELECT COMMITTEES.

The Milwaukee County Delegation, to whom was referred  
No. 217, A.,

A bill to amend section 1 of sub-chapter 8 of chapter 184 of the laws of 1874, entitled an act to revise, consolidate and amend the charter of the city of Milwaukee, approved February 20, 1852, and the several acts amendatory thereof,

Have had the same under consideration, and respectfully report the same back with the recommendation that it be indefinitely postponed.

I. W. VAN SCHAIK,  
*Chairman.*

GEORGE H. PAUL,  
EDWIN HYDE,

Senator Hyde dissenting.

On motion of Senator Hyde,

Further consideration of 217, A., was postponed till Tuesday next.

### EXECUTIVE COMMUNICATION.

STATE OF WISCONSIN,  
*Executive Department,*  
MADISON, *March 3, 1880.*

*To the honorable the senate:*

Complying with requests contained in Joint Resolutions 16 and 17, senate, I have the honor to return herewith for further consideration bills No. 30, S., 114, S. and 85, S.,

WILLIAM E. SMITH.

## MESSAGE FROM THE ASSEMBLY.

By J. E. ELDRED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has passed, and asks the concurrence of the senate in,

No. 260, A.,

A bill granting to the city of Winona the right to establish, operate and maintain a ferry or ferries across the Mississippi river in the county of Buffalo, opposite to said city,

No. 144, A.,

A bill to amend section 2623, chapter 119, of the revised statutes of 1878, entitled of the place of trial of civil actions,

No. 247, A.,

A bill relating to and amendatory of section 1391 of chapter 55, entitled of fences,

No. 339, A.,

A bill authorizing the city of Winona to construct, operate and maintain a bridge across the Mississippi river,

No. 145, A.,

A bill to amend section 3331 of chapter 143 of the revised statutes, entitled liens upon logs and lumber,

No. 110, A.,

A bill to appropriate to Kewaunee county a sum of money therein named,

No. 122, A.,

A bill to amend subdivision 1 of section 339 of chapter 20 of the revised statutes, entitled of public printing,

No. 140, A.,

A bill to legalize the actions of the Deutsche Gegenseitige-Farmer-Feuer Versicherungs-Gesellschaft von Town Mishicott, Manitowoc county, Wisconsin, being a town insurance company organized under the laws of the state of Wisconsin, and located in the town of Mishicott, Manitowoc county, Wisconsin,

No. 395, A.,

A bill relating to the appropriation of money to the state board of immigration, and amendatory of section 7, chapter 176, laws of 1879,

No. 254, A.,

A bill in relation to the sale of intoxicating liquors,

No. 289, A.,

A bill to amend sections 2561 and 3775 of the revised statutes, in relation to fees of jurors in justice courts,

No. 275, A.,

A bill to compel the owners, proprietors and occupants of dams in the counties of Iowa and La Fayette to construct and maintain fish ways,

No. 396, A.,

A bill to appropriate a sum of money therein named, to pay for chaplain services in the legislature for the year 1880,

M. C. No. 7, A.,  
Memorial to congress relating to school lands,  
M. C. No. 17, A.,  
Memorial to congress in relation to the St. Croix land grant,  
Jt. Res. No. 16, A.,  
Joint resolution to amend the constitution,  
No. 82, A.,  
A bill relating to offenses against property, and to amend section  
4449 of the revised statutes,  
No. 245, A.,  
A bill authorizing the towns of Hortonia and Liberty, in Outa-  
gamie county, to construct a bridge across Wolf river,  
No. 255, A.,  
A bill to amend chapter 147 of the laws of 1879, entitled an act  
to authorize James and William Johnson to erect, maintain and  
keep up a dam across Willow river, in St. Croix county, Wis-  
consin,  
And has concurred in senate amendments to  
No. 148, A.,  
A bill to amend the charter of the city of Ahnapee, Kewaunee  
county,  
And returns as requested,  
No. 391, A.,  
A bill to incorporate the city of Platteville.

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#### ASSEMBLY MESSAGE CONSIDERED.

On motion of Senator Price,  
The vote by which No. 391, A. was concurred in, was reconsid-  
ered.

Senator Price offered the following amendments to the bill:

Amend section number 13 of chapter 4 by striking out the words,  
“and military companies,” where they occur in the fifth line of  
printed bill.

Amend by striking out the words, “bystander, military officer  
or private,” where they occur in line seven of the printed bill, in  
section 13, chapter 4.

Amend by striking out the words “by this act or,” where they  
occur in the first line of section 1 of chapter 11 of the printed bill.

The amendments were adopted, and the bill was concurred in as  
amended.

On motion of Senator Rankin,

The rules were suspended, and No. 140, A., was read a third  
time and concurred in.

Nos. 260, 339 and 275, A.,

Were referred to the committee on State Affairs.

Nos. 144, 247, 145, 254, 82 and 289, A.,

Were referred to the Judiciary committee.

Nos. 110, 122, 395 and 396, A.,

Were referred to the General File.

No. 245, A.,

Was referred to the committee on Roads and Bridges.

No. 255, A.,

Was referred to the committee on Incorporations.

M. C. Nos. 7 and 17, A.,

Were referred to the committee on Federal Relations.

Jt. Res. No. 16, A.,

Senator Rankin moved to refer the resolution to the committee on State Affairs.

The ayes and noes being demanded, it was decided in the negative: ayes, 14; noes, 16.

The vote was as follows:

*Ayes* — Senators Blackstone, Griffin, Haben, Kellogg, Morgan, Quarles, Rankin, Sacket, Smith, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman — 14.

*Noes* — Senators Anderson, Bennett, Burrows, Carter, Chipman, Dering, Fifield, Grimmer, Kelly, McFetridge, McGrew, Paul, Price, Richardson, Ryland and Scott — 16.

On motion of Senator Sacket,

The resolution was referred to a select committee consisting of Senator Price.

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#### BILLS READY FOR A THIRD READING.

No. 50, S.,

A bill to provide a salary for justices of the peace in incorporated cities of a population of sixty thousand or upwards.

Senator Woodman took the chair.

No. 81, S.,

A bill to amend section 4395 of the revised statutes of 1878, entitled of offenses against the lives and persons of individuals,

No. 82, S.,

A bill to repeal sections 592 and 594 of revised statutes of 1878, relating to public charities, and to amend section 593, R. S. 1878, and to prescribe the procedure for committing persons to the insane hospitals,

No. 223, S.,

A bill relating to and amendatory of the charter of the city of Portage,

No. 227, S.,

A bill to amend section 2731 of the revised statutes of 1878, relating to proceedings by attachment,

No. 250, S.,

A bill to amend section 129 of chapter 11 of the revised statutes, entitled of the state officers,

Were severally read a third time and passed.

No. 115, S.,

A bill to appropriate a certain sum of money therein named to the Wisconsin Industrial School for Girls,

Was read a third time and passed.

The ayes and noes being required, it was decided in the affirmative: ayes, 29; noes, 0; not voting 4.

The vote was as follows:

*Ayes* — Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Grimmer, Houghton, Hyde, Kellogg, Kelly, McFetridge, McGrew, Morgan, Paul, Price, Quarles, Richardson, Ryland, Scott, Smith, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman — 29.

*Noes* — None.

*Not voting*—Senators Haben, Rankin, Sacket and Sutherland — 3.  
No. 135, S.,

A bill to appropriate to the State Agricultural Society the sum of money therein named,

Was read a third time and passed.

The ayes and noes being required, it was decided in the affirmative; ayes 31; noes 0; not voting 2.

The vote was as follows:

*Ayes* — Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, Kelly, McFetridge, McGrew, Morgan, Paul, Price, Quarles, Richardson, Ryland, Sacket, Scott, Smith, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman — 31.

*Noes* — None.

*Not voting* — Senators Rankin and Sutherland — 2.

No. 229, S.,

A bill to appropriate to R. R. Fallows a sum of money therein named,

Was read a third time and passed.

The ayes and noes being required, it was decided in the affirmative: ayes, 23; noes, 8.

The vote was as follows:

*Ayes* — Senators Anderson, Bennett, Blackstone, Burrows, Chipman, Dering, Fifield, Griffin, Grimmer, Houghton, Hyde, Kellogg, Kelly, McFetridge, Quarles, Richardson, Sacket, Scott, Smith, Thomas, Van Schaick, Van Steenwyk and Woodman — 23.

*Noes* — Senators Carter, McGrew, Morgan, Paul, Price, Rankin, Ryland and Weaver — 8.

No. 147, S.,

A bill to appropriate the sum of one thousand dollars to the Central Wisconsin Agricultural and Mechanical Association,

Senator Dering moved to recommit the bill to the committee on Agriculture.

The motion was lost.

The ayes and noes being demanded, it was decided in the negative: ayes, 8; noes, 22; not voting, 5.

The vote was as follows:

*Ayes* — Senators Chipman,, Dering, Griffin, Houghton, Richardson, Ryland, Van Steenwyk and Woodman — 8.

*Noes* — Senators Anderson, Bennett, Blackstone, Burrows, Fifield, Grimmer, Haben, Hyde, Kellogg, Kelly, McFetridge, McGrew, Morgan, Paul, Price, Rankin, Sacket, Scott, Smith, Thomas, Van Schaick and Weaver — 22.

*Not voting* — Senators Carter, Quarles and Sutherland — 3.

The bill was then read a third time and passed.

The ayes and noes being required, it was decided in the affirmative: ayes 24; noes 7.

The vote was as follows:

*Ayes* — Senators Anderson, Bennett, Blackstone, Burrows, Chipman, Fifield, Griffin, Grimmer, Haben, Hyde, Kellogg, Kelly, McFetridge, McGrew, Morgan, Paul, Price, Quarles, Sacket, Scott, Smith, Thomas, Van Schaick and Weaver — 24.

*Noes* — Senators Dering, Houghton, Rankin, Richardson, Ryland, Van Steenwyk and Woodman — 7.

The clerk was instructed to correct the title to conform with the body of the bill.

No. 204, A.,

A bill to authorize the villages of De Pere and West De Pere to purchase, hold and lease certain real estate for the use of said villages,

No. 353, A.,

A bill to annex certain territory in the town of Jefferson to certain districts in said town,

Were severally read a third time and concurred in.

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### BILLS ON THEIR THIRD READING.

No. 50, A.,

A bill authorizing and allowing horses, mules, cattle and sheep to run at large upon uninclosed lands in the county of Vernon,

No. 158, A.,

A bill to amend section 1 of chapter 47 of the private and local laws of Wisconsin for the year 1872,

No. 192, A.,

A bill to amend chapter 409 of the general laws of 1864, entitled an act to authorize the village of De Pere and the town of Lawrence to purchase or lease a certain bridge across Fox river,

No. 194, A.,

A bill to authorize G. W. Cate and N. N. McLeod to build a dam across, for flooding purposes, and otherwise improve Spirit river, in Price county, Wisconsin,

No. 242, A.,

A bill to amend an act entitled an act to incorporate the chamber of commerce of the city of Milwaukee, approved February 29, 1868,

No. 306, A.,

A bill to authorize P. B. Champagne to build and maintain a dam across the Wisconsin river, in Lincoln county,

No. 346, A.,

A bill to amend sections 854 and 855 of chapter 40, revised statutes of 1878, entitled of villages,

Were severally ordered to a third reading.

No. 301, A.,

A bill to authorize Thomas J. La Flesh to maintain dams on the east fork of Black river in the counties of Wood, Clark and Jackson,

Was recommitted to the committee on Incorporations.

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## BILLS ON THEIR ENGROSSMENT AND THIRD READING.

The amendments to

No. 16, S.,

A bill to authorize John Phelps, his associates or assigns, to erect and maintain a dam across the Wisconsin river, and make other improvements in the Wisconsin river in Lincoln county,

No. 98, S.,

A bill to authorize the St. Paul & Chicago Short Line Railway Company to construct a bridge over Lake St. Croix,

No. 192, S.,

A bill to amend chapter 171 of the private and local laws of 1868, entitled an act to incorporate the Wisconsin River Improvement Company, and to amend chapter 298 of the laws of 1876, amendatory thereof,

Were adopted, and the bills were severally ordered engrossed and read a third time.

No. 220, S.,

A bill to amend section 1798, chapter 87, revised statutes of 1878, entitled of railroads,

Was indefinitely postponed.

No. 152, S.,

A bill amendatory of chapter 217, laws of 1874, entitled an act to appropriate to James Reynolds and John Fellenz a sum of money therein named, and to authorize them to bring an action against the state for the amount of their claim not covered by such appropriation,

Was ordered engrossed and read a third time.

The ayes and noes being demanded, it was decided in the affirmative: ayes, 17; noes, 13; not voting, 3.

The vote was as follows:

*Ayes* — Senators Anderson, Bennett, Blackstone, Carter, Fifield, Grimmer, Haben, Hyde, Kellogg, Kelly, Morgan, Paul, Rankin, Sacket, Smith, Van Schaick and Woodman — 17.

*Noes* — Senators Chipman, Dering, Griffin, McFetridge, McGrew, Price, Quarles, Richardson, Ryland, Scott, Thomas, Van Steenwyk and Weaver — 13.

*Not voting* — Senators Burrows, Houghton and Sutherland — 3.

No. 185, S.,

A bill for the division of the counties of Clark and Marathon, and for the erection of the county of Webster,

Was indefinitely postponed.

The ayes and noes being demanded, it was decided in the affirmative; ayes 20; noes 8; not voting 5.

*Ayes* — Senators Anderson, Blackstone, Burrows, Chipman, Dering, Griffin, Grimmer, Haben, Houghton, McGrew, Paul, Price, Quarles, Rankin, Richardson, Ryland, Scott, Thomas, Van Steenwyk and Weaver— 20.

*Noes* — Senators Carter, Fifield, Kellogg, Kelly, McFetridge, Morgan, Smith and Woodman — 8.

*Not voting* — Senators Bennett, Hyde, Sacket, Sutherland and Van Schaick — 5.

No. 39, S.,

A bill to include the Chicago & Tomah railroad in the provisions of chapter 153 of the general laws of 1879, and amendatory of said chapter,

No. 60, S.,

A bill to provide for the inspection of illuminating oils manufactured from petroleum or coal oils, and to regulate the sale thereof, and to repeal section 4359 of chapter 181, revised statutes of 1878,

Were laid aside until to-morrow.

On motion of Senator Dering,

Further consideration of

No. 169, S.,

A bill to amend section 1725 of the revised statutes, relating to corporations,

Was postponed until Wednesday morning, the 10th inst.

The amendments to

No. 202, S.,

A bill to amend section 12 of chapter 84 of the private and local laws of 1864, entitled an act to incorporate the Black River Improvement Company, approved February 23, 1865,

Were adopted.

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On motion of Senator Price,

The senate took a recess until 3 o'clock P. M.

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3 o'CLOCK P. M.

The senate met.

Senator Woodman in the chair.

The roll was called, and the following senators answered to their names:

Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, Kelly, McFetridge, McGrew, Morgan, Paul, Price, Quarles, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman.

The question being upon ordering

No. 202, S.,

Engrossed and read a third time,

It was decided in the affirmative: ayes, 16; noes, 15; not voting, 2.

The vote was as follows:

*Ayes* — Senators Anderson, Blackstone, Burrows, Chipman, Dering, Fifield, Griffin, Grimmer, Houghton, Hyde, Morgan, Price, Quarles, Ryland, Scott and Van Steenwyk — 16.

*Noes* — Senators Bennett, Carter, Haben, Kellogg, Kelly, McFetridge, Paul, Rankin, Richardson, Sacket, Smith, Thomas, Van Schaick, Weaver and Woodman — 15.

*Not voting* — Senators McGrew and Sutherland — 2.

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On motion of Senator Burrows,

The senate took a recess until 8 o'clock.

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8 o'CLOCK, P. M.

The senate met.

The president in the chair.

The roll was called and the following senators answered to their names:

Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, Kelly, McFetridge, McGrew, Morgan, Paul, Price, Quarles, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Sutherland, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman.

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#### MESSAGE FROM THE ASSEMBLY.

By J. E. ELDRED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has concurred with the senate in the passage of

No. 91, S.,

A bill to appropriate to the Institution for the Education of the Deaf and Dumb a sum of money therein named.

No. 186, S.,

A bill in relation to the State Historical Society, and appropriating a sum of money,

No. 232, S.,

A bill to appropriate a sum of money therein named to the Horticultural Society,

No. 53, S.,

A bill fixing the time when wild deer may be taken in the counties of Ashland, Bayfield and Douglas,

No. 138, S.,

A bill to appropriate to the Northern Wisconsin Agricultural and Mechanical Association a sum of money therein named,

No. 129, S.,

A bill to amend chapter 22 of the revised statutes of 1878, entitled of the distribution of public documents,

No. 127, S.,

A bill to amend section 680 of the revised statutes of 1878, relating to claims against counties,

No. 159, S.,

A bill to aid the Eastern Monroe County Agricultural Society,

No. 225, S.,

A bill in relation to fences, and to amend section 1391 of the revised statutes of 1878,

No. 88, S.,

A bill to provide for the rebuilding of a portion of the institution for the education of the deaf and dumb, and to appropriate the sum of money therein named,

And has passed, and asks concurrence of senate in,

No. 107, A.,

A bill to authorize John Redmond, his associates and assigns, to erect and maintain a dam across and otherwise improve Hay creek, in Chippewa county,

No. 209, A.,

A bill to amend the charter of the city of Waupaca, in Waupaca county,

No. 395, A.,

A bill to ratify and make valid the acts and contracts of the state timber agent therein named,

No. 171, A.,

A bill relating to the House of Correction of Milwaukee county,

No. 249, A.,

A bill to legalize the acts therein set forth of the village board of the village of Wonewoc, in the county of Juneau,

No. 139, S.,

A bill to amend section 5 of chapter 51 of the general laws of 1866, entitled an act to authorize the use of money arising from the sale of certain swamp and overflowed lands in the counties of Manitowoc and Calumet, for drainage and other purposes, and to amend chapter 537 of the laws of 1865, relating thereto,

No. 391, A.,

A bill to incorporate the city of Platteville,

And asks return of

No. 55, S.,

A bill to amend the articles of association of the Chicago, Milwaukee & St. Paul Railway Company,

No. 30, S.,

A bill to authorize A. D. Lunt and P. M. Musser to build a dam

across and otherwise improve Elk river, in Price county, for log driving purposes,

No. 114, S.,

A bill to authorize Thomas B. Scott, his associates and assigns, to build a dam or dams on Prairie river, in Lincoln county, Wisconsin,

For correction.

No. 85, S.,

A bill to authorize the commissioners of public lands to loan a portion of the trust funds of the state to the town of Shullsburg, in La Fayette county,

Ordered returned.

And has reconsidered, amended and concurred in as amended,

No. 55, S.,

A bill to amend the articles of association of the Chicago, Milwaukee & St. Paul Railway Company.

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#### ASSEMBLY MESSAGE CONSIDERED.

Nos. 107 and 209, A.,

Were referred to the committee on Incorporations.

Nos. 398 and 249, A.,

Were referred to the committee on Judiciary.

No. 171, A.,

Was referred to the General File.

The assembly amendments to

No. 55, S.,

Were concurred in.

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#### SPECIAL ORDER.

Jt. Res. No. 9, S.,

Resolution amending sections 4, 5, 11 and 21, article 4 of the constitution of the state of Wisconsin,

Being the special order for this hour, was taken up.

The question being on the recommendation of the committee on State Affairs to indefinitely postpone the resolution,

The ayes and noes were demanded.

It was decided in the negative: ayes 9; noes 24.

The vote was as follows:

*Ayes* — Senators Anderson, Burrows, Fifield, Griffin, Grimmer, Kellogg, Price, Rankin and Scott — 9.

*Noes* — Senators Bennett, Blackstone, Carter, Chipman, Dering, Haben, Houghton, Hyde, Kelly, McFetridge, McGrew, Morgan, Paul, Quarles, Richardson, Ryland, Sacket, Smith, Sutherland, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman — 24.

On motion of Senator McFetridge,

Jt. Res. No. 9, S.,

Was laid aside, and

Jt. Res. No. 10, A.,

Amending the constitution and providing for biennial sessions of the legislature,

Was taken up.

Senator McFetridge offered the following amendments:

Amend section 4 by adding at the end thereof the words, "and shall hold their office for the term of two years."

Amend section 5 by striking out the words, "once in four years," in the second line of the resolution.

Amend section 21 by adding at the end thereof the words: No stationery, newspapers, postage stamps or other perquisites except the salary and mileage above provided, shall be received from the state by any member of the legislature for his services or in any other manner as such member.

Senator Rankin called for a division of the amendments.

Amendments Nos. 1 and 2 were adopted.

Amendment No. 3 was then adopted.

The ayes and noes being demanded, it was decided in the affirmative: ayes 31, noes 2.

The vote was as follows:

*Ayes* — Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Grimmer, Haben, Hyde, Kellogg, Kelly, McFetridge, McGrew, Morgan, Paul, Price, Quarles, Richardson, Ryland, Sacket, Scott, Smith, Sutherland, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman — 31.

*Noes* — Senators Houghton and Rankin — 2.

Senator Bennett offered the following amendment:

Strike out of section 11 the words "no business shall be transacted except as shall be necessary to accomplish the special purposes for which it was convened."

The amendment was lost.

The ayes and noes being demanded, it was decided in the negative: ayes, 12; noes, 21.

The vote was as follows:

*Ayes* — Senators Anderson, Bennett, Burrows, Fifield, Griffin, Grimmer, Hyde, Kellogg, Paul, Sacket, Scott and Van Schaick — 12.

*Noes* — Senators Blackstone, Carter, Chipman, Dering, Haben, Houghton, Kelly, McFetridge, McGrew, Morgan, Price, Quarles, Rankin, Richardson, Ryland, Smith, Sutherland, Thomas, Van Steenwyk, Weaver and Woodman — 21.

Senator Carter offered the following amendment:

Amend by striking out the word five where it occurs in section 21, and insert the word four in place thereof.

The amendment was lost.

The ayes and noes being demanded, it was decided in the negative: ayes 10; noes 23.

The vote was as follows:

*Ayes* — Senators Anderson, Burrows, Carter, Griffin, Grimmer, Haben, Kellogg, Rankin, Sacket and Van Schaick — 10.

*Noes* — Senators Bennett, Blackstone, Chipman, Dering, Fifield,

Houghton, Hyde, Kelly, McFetridge, McGrew, Morgan, Paul, Price, Quarles, Richardson, Ryland, Scott, Smith, Sutherland, Thomas, Van Steenwyk, Weaver and Woodman — 23.

The resolution was then concurred in.

The ayes and noes being required, it was decided in the affirmative: ayes, 24; noes, 9.

The vote was as follows:

*Ayes* — Senators Bennett, Blackstone, Carter, Chipman, Dering, Haben, Houghton, Hyde, Kelly, McFetridge, McGrew, Morgan, Paul, Quarles, Richardson, Ryland, Sacket, Smith, Sutherland, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman—24.

*Noes* — Senators Anderson, Burrows, Fifield, Griffin, Grimmer, Kellogg, Price, Rankin and Scott — 9.

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### REPORTS OF COMMITTEES.

The committee on Engrossed Bills have examined and find correctly engrossed the following bill:

No. 202, S.,

A bill to amend section 12 of chapter 84 of the private and local laws of 1864, entitled an act to incorporate the Black River Improvement Company, approved February 23, 1864.

GEO. W. RYLAND,  
*Chairman.*

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On motion of Senator McFetridge,  
Further consideration of Jt. Res. No. 9, S., was postponed until Tuesday, the 9th inst.

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Senator Burrows moved to adjourn.

The ayes and noes being demanded, it was decided in the affirmative: ayes, 23; noes, 6.

The vote was as follows:

*Ayes* — Senators Anderson, Carter, Griffin, Grimmer, Haben, Hyde, Kellogg, Kelly, McFetridge, McGrew, Morgan, Price, Quarles, Richardson, Ryland, Sacket, Scott, Smith, Sutherland, Thomas, Van Schaick, Van Steenwyk and Woodman — 23.

*Noes* — Senators Bennett, Chipman, Dering, Fifield, Paul and Weaver — 6.

FRIDAY, MARCH 5, 1880.

The senate met.

The president in the chair.

Prayer by the Rev. Mr. Winter.

The roll was called, and the following senators answered to their names:

Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, Kelly, McFetridge, McGrew, Morgan, Paul, Price, Quarles, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Sutherland, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman.

The journal of yesterday was approved.

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Senator McFetridge moved that the vote by which

Jt. Res. No. 10, A.,

Was adopted, be reconsidered, and that that motion be temporarily laid aside.

The motion prevailed.

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### COMMUNICATIONS.

LAKE CITY GUARD ARMORY,  
MADISON, WIS., *March 5, 1880.*

*To the President of the Senate:*

SIR—The Galesville Cadets will give an informal drill at the Armory of the "Lake City Guards," at 5 o'clock P. M., March 5. Senators are respectfully invited to attend.

C. C. CHAPMAN,  
*Capt. Lake City Guard*

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### LETTERS, PETITIONS, Etc.

Presented and referred.

By Senator Dering:

Pet. No. 205, S.,

Of C. A. Noyes and 11 others against the insurance bill taxing life insurance companies.

To general file.

## REPORTS OF COMMITTEES.

The committee on Charitable and Penal Institutions, to whom was referred

No. 93, S.,

A bill to appropriate to the State Hospital for the Insane a certain sum of money therein named to pay indebtedness,

Have had the same under consideration, and instructed me to report that the appropriation asked for in the bill is chiefly to cover indebtedness of the State Hospital for the Insane which was not authorized by law, and in the opinion of your committee cannot be approved.

The reports of the board of trustees of the institution purport to show its condition on the first day of October of each year, but from an examination of its books and the statement of its officers, it appears to have been the practice of its superintendent to purchase supplies and materials required, largely on credit, and to include in their reports only such articles as were paid for before the close of the fiscal year; and there does not appear to have been any attempt made to separate accounts for supplies for different years, but as these bills have been presented and paid, they have been entered in the books of the institution as of the year when paid.

A list of unpaid accounts against the institution was furnished your committee by the State Board of Charities, amounting to \$32,700, and though a considerable portion of this indebtedness was created before the month of October, and some of it as early as April, no mention of that fact was made in the superintendent's report. This practice of creating debts has been followed by its natural consequence, the necessity of borrowing money by the institution, and the payment of interest thereon, at a time when there was no lack of money in the state treasury.

The last report of the State Hospital shows that \$364.00 was charged to interest accrued and paid by the institution on money borrowed, and there is reason to believe that a much larger sum has been paid since that date. The constitution of the state limits the power of the legislature to create debt, and it is but reasonable to assume that the limit extends to all creatures of the legislature, and if so, the practice of purchasing on credit and borrowing of superintendents and boards of management is in direct violation of the constitution.

Another practice which your committee has reason to believe has prevailed for some time, and which cannot be approved, is the expenditure of large sums of money in anticipation of special appropriations. On the books of the institution at the present time are the following accounts:

Appropriations asked for heating apparatus.....	\$75 44
Appropriations asked for new floor.....	553 00
Appropriations asked for new furniture.....	2,719 00
Appropriations asked for carpenter shop.....	1,081 78
Appropriations asked for wash room .....	64 40
	<hr/> <hr/>

These accounts represent expenditures of money made between the first of April and the first of October, 1879, yet the legislature is asked to provide for them as for furniture, etc., hereafter to be obtained. As to the necessity for the expenditure of these various amounts, your committee have no knowledge beyond the fact that ample appropriations were made in 1879 for all the estimated requirements for the hospital for one year.

But whether necessary or not, the anticipation of these appropriations is evidence of a degree of confidence on the part of the trustees in the *readiness* of the legislature to honor their drafts, which speaks volumes for the generosity of former legislatures, but reflects no credit upon their supervision of these institutions.

The accounts for building cross wings, or more correctly speaking, bay windows, the purchasing of furniture made necessary thereby, and the construction of a dry house, all of which are mentioned in the superintendent's report, are of the same class.

That the erection and furnishing of these additions has added to the capacity of the building sufficiently to have justified an appropriation for that purpose by the legislature is not improbable; yet the fact remains that, though repeated applications for appropriations to enlarge the buildings of the institution were refused by several successive legislatures, the members of the legislature of 1879 had hardly left the capitol, when the superintendent proposed the enlargement, and on the 14th of May a formal order was entered for the so-called cross wings.

This deliberate assumption of authority was not, in the opinion of your committee, justified by any necessity which was not as well understood by members of every legislature that has met in this capitol for years, as by the board of management of the hospital; and its approval by this legislature would be official notice to all, that the precedent thus established could be followed by others, till the whole duties of future legislatures relating to our charitable and penal institutions would consist in recording the acts of these boards of management, and collect taxes to settle accounts of their creating.

Your committee, therefore, have instructed me to respectfully recommend the indefinite postponement of the bill.

H. RICHARDSON,  
*Chairman.*

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The committee on Incorporations, to whom was referred  
No. 211, S.,

A bill to amend chapter 2 of chapter 12 of the private and local laws of 1858, entitled an act to incorporate the city of Ripon,

Have had the same under consideration, and report it back with the recommendation that it do pass.

GEO. GRIMMER,  
*Chairman.*

The committee on Finance, Banks and Insurance, to whom was referred

No. 31, A.,

A bill to provide for the individual liability of stockholders in banks and banking associations,

Have had the same under consideration, and instruct me to report the same back to the senate with amendments, with recommendation that the same be concurred in when so amended.

G. VAN STEENWYK,  
*Chairman.*

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The committee on Enrolled Bills have examined and find correctly enrolled,

No. 186, S.,

A bill in relation to the State Historical Society, and appropriating a sum of money.

G. E. SUTHERLAND,  
*Chairman.*

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The committee on Charitable and Penal Institutions, to whom was referred that portion of the governor's message relating to charitable and penal institutions of the state, have had the same under consideration, and have instructed me to report by bill.

H. RICHARDSON,  
*Chairman.*

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#### BILL INTRODUCED.

By committee on Charitable and Penal Institutions:

No. 266, S.,

A bill to provide for the more systematic and efficient management of hospitals for the insane.

Ordered printed and laid over till next Tuesday.

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The committee on State Affairs, to whom was referred

No. 100, A.,

A bill to authorize the commissioners of public lands to loan a portion of the trust funds of the state to the county of Taylor,

Have had the same under consideration, and report it back with amendments, and recommend that it be concurred in when so amended.

GEO. B. BURROWS,  
*Chairman.*

The committee on State Affairs, to whom was referred.

Jt. Res. No. 21, A.,

Relating to appointment of committee of three by assembly and two on part of senate, in regard to reduction of administrative and legislative expenses,

Have had the same under consideration, and report it back with recommendation that the resolution be adopted.

GEO. B. BURROWS,

*Chairman.*

Senator Rankin moved to indefinitely postpone the resolution.

The ayes and noes being demanded, it was decided in the negative: ayes, 7; noes, 17; not voting, 9.

The vote was as follows:

*Ayes* — Senators Griffin, Grimmer, Quarles, Ryland, Sacket, Scott and Thomas — 7.

*Noes* — Senators Anderson, Bennett, Blackstone, Chipman, Dering, Haben, Kelly, McGrew, Morgan, Paul, Price, Rankin, Smith, Sutherland, Van Schaick, Weaver and Woodman — 17.

*Not voting* — Senators Burrows, Carter, Fifield, Houghton, Hyde, Kellogg, McFetridge, Richardson and Van Steenwyk — 9.

The resolution was then non-concurred in.

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### RESOLUTIONS CONSIDERED.

On motion of Senator Houghton,

No. 57, A.,

A bill to provide for the publication of proceedings of county boards of supervisors,

Was recommitted to committee on Judiciary.

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### BILLS READY FOR A THIRD READING.

No. 56, S.,

A bill for the preservation of fish in Dell creek,

No. 57, S.,

A bill to protect certain game birds within this state,

Were severally read a third time and passed.

No. 202, S.,

A bill to amend section 12 of chapter 84 of the private and local laws of 1864, entitled an act to incorporate the Black River Improvement Company, approved February 23, 1865,

Senator Price asked unanimous consent to offer an amendment to the bill.

On motion of Senator Sacket,

The bill was recommitted to the Judiciary committee, with instructions to report said bill back at four o'clock this afternoon,

No. 50, A.,

A bill authorizing and allowing horses, mules, cattle and sheep to run at large upon uninclosed lands in the county of Vernon,

No. 158, A.,

A bill to amend section 1 of chapter 47 of the private and local laws of Wisconsin for the year 1872,

No. 192, A.,

A bill to amend chapter 409 of the general laws of 1864, entitled an act to authorize the village of De Pere and the town of Lawrence to purchase or lease a certain bridge across Fox river,

No. 242, A.,

A bill to amend an act entitled an act to incorporate the chamber of commerce of the city of Milwaukee, approved February 29, 1868,

No. 306, A.,

A bill to authorize P. B. Champagne to build and maintain a dam across the Wisconsin river in Lincoln county,

No. 346, A.,

A bill to amend sections 854 and 855 of chapter 40, revised statutes of 1878, entitled of villages,

Were severally read a third time and concurred in.

On motion of Senator Griffin,

Further consideration of

No. 194, A.,

A bill to authorize G. W. Cate and N. N. McLeod to build a dam across, for flooding purposes, and otherwise improve Spirit river, in Price county, Wisconsin,

Was postponed until to-morrow.

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### BILLS ON THEIR THIRD READING.

No. 110, A.,

A bill to appropriate to Kewaunee county a sum of money therein named,

No. 165, A.,

A bill relating to the assessment of personal property for taxation, and to amend section 1040 of the revised statutes,

No. 169, A.,

A bill to authorize the city of Neenah to borrow money,

No. 224, A.,

A bill authorizing the city of Racine to transfer certain money from any available fund of said city to the poor fund,

No. 228, A.,

A bill to amend section 1390 of chapter 55 of the revised statutes of 1878,

No. 340, A.,

A bill relating to the killing of deer in Door county, and amendatory of section 4 of chapter 40 of the laws of 1879,

No. 350, A.,

A bill authorizing the commissioners of public lands of the state of Wisconsin to extend the time of payment of the loan made from the school fund to school district number six, in the town of Union,

No. 390, A.,

A bill to authorize the towns of Carlton, Krok and Pierce to vote upon the question of voting aid for the construction of Kewaunee harbor, Kewaunee county,

M. C. No. 8, A.,

Memorial to congress for an appropriation to restore the Oconto river from the city of Oconto to its mouth, to a navigable condition, to strengthen and shorten its channel, and protect its mouth,

M. C. No. 13, A.,

Memorial to congress for an appropriation for the harbor at Manitowoc,

Were severally ordered to a third reading.

No. 396, A.,

A bill to appropriate a sum of money therein named to pay for chaplain service in the legislature for the year 1880.

Senator Rankin offered the following amendment:

Amend by adding to section 1 the words "provided said chaplain shall have served one week."

The amendment was adopted, and the bill as amended ordered to a third reading.

No. 102, A.,

A bill to authorize the commissioners of public lands to loan a portion of the trust funds to the city of Stevens Point, Portage county, to enable said city to pay off and cancel a portion of its bonded indebtedness,

Was laid over until to-morrow.

On motion of Senator Quarles,

No. 104, A.,

A bill to limit the number of terms to which a person may be eligible to the office of county treasurer,

Was laid over until Tuesday morning, the 9th inst.

No. 171, A.,

A bill relating to the house of correction of Milwaukee county, Was recommitted to the Judiciary committee.

The amendments to

No. 57, A.,

A bill to provide for the publication of proceedings of county boards of supervisors,

Were lost.

The ayes and noes being demanded, it was decided in the negative: ayes 13; noes 14.

The vote was as follows:

*Ayes* — Senators Fifield, Griffin, Grimmer, Hyde, Kellogg, Kelly, Paul, Quarles, Rankin, Scott, Smith, Sutherland and Van Schaick — 13.

*Noes* — Senators Anderson, Blackstone, Carter, Chipman, Dering, Haben, McGrew, Morgan, Richardson, Ryland, Thomas, Van Steenwyk, Weaver and Woodman — 14.

Senator Dering moved to reconsider the vote by which the senate refused to adopt the amendments.

The ayes and noes being demanded, it was decided in the affirmative: ayes 26; noes 2; not voting 5.

The vote was as follows:

*Ayes* — Senators Anderson, Blackstone, Burrows, Chipman, Dering, Fifield, Griffin, Grimmer, Hyde, Kellogg, Kelly, McFetridge, McGrew, Morgan, Paul, Quarles, Rankin, Richardson, Sacket, Scott, Smith, Sutherland, Van Schaick, Van Steenwyk, Weaver and Woodman — 26.

*Noes* — Senators Carter and Haben — 2.

*Not voting* — Senators Bennett, Houghton, Price, Ryland and Thomas — 5.

The amendments were then adopted, and the bill was ordered to a third reading.

The ayes and noes being demanded, it was decided in the affirmative: ayes, 18; noes, 14; not voting, 1.

The vote was as follows:

*Ayes* — Senators Bennett, Blackstone, Burrows, Dering, Fifield, Griffin, Grimmer, Hyde, Kellogg, Kelly, McFetridge, Paul, Quarles, Rankin, Scott, Smith, Van Schaick and Van Steenwyk — 18.

*Noes* — Senators Anderson, Carter, Chipman, Haben, McGrew, Morgan, Price, Richardson, Ryland, Sacket, Sutherland, Thomas, Weaver and Woodman — 14.

*Not voting* — Senator Houghton — 1.

The amendments to

No. 176, A.,

A bill to amend section 1940 of chapter 89 of revised statutes, relating to town insurance companies,

Were adopted, and the bill was ordered to a third reading.

The amendments to

No. 223, A.,

A bill to legalize the acts of the Linden Town Mutual Fire Insurance Company in Iowa county,

Were adopted, and the bill was ordered to a third reading, and the clerk was instructed to correct the title to correspond with the body of the bill.

No. 122, A.,

A bill to amend subdivision 1 of section 339 of chapter 20 of the revised statutes, entitled of public printing,

Was ordered to a third reading.

The ayes and noes being demanded, it was decided in the affirmative; ayes 21; noes 9; not voting 3.

The vote was as follows:

*Ayes* — Senators Anderson, Bennett, Burrows, Carter, Dering, Fifield, Griffin, Grimmer, Haben, Hyde, Kelly, McFetridge, McGrew, Morgan, Paul, Scott, Smith, Sutherland, Van Schaick, Weaver and Woodman — 21.

*Noes* — Senators Blackstone, Chipman, Houghton, Kellogg, Rankin, Richardson, Ryland, Thomas and Van Steenwyk — 9.

*Not voting* — Senators Price, Quarles and Sacket — 3.

## BILLS ON THEIR ENGROSSMENT AND THIRD READING.

No. 146, S.,

A bill to appropriate to the county of Kenosha a certain sum of money therein named,

Was ordered engrossed and read a third time.

The amendments to

No. 6, S.,

A bill for the prevention of cruelty to minors,

Were adopted, and the bill was ordered engrossed and read a third time.

No. 4, S.,

A bill to permit the boards of supervisors of counties to exempt their respective counties from the provisions of sections 1623, 1624 and 1625 of the revised statutes of 1878, providing for the taxation of dogs.

Senator Fifield offered the following amendment to the amendment:

Amend by inserting after the words "female dog," the words, "or cat."

The ayes and noes being demanded, it was decided in the negative: Ayes, 0; noes, 30; not voting, 3.

The vote was as follows:

*Ayes* — None.

*Noes* — Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, Kelly, McFetridge, McGrew, Paul, Quarles, Rankin, Ryland, Sacket, Scott, Smith, Sutherland, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman — 30.

*Not voting* — Senators Morgan, Price and Richardson — 3.

On motion of Senator Kellogg,

Further consideration of the bill, with pending amendments, was laid over until Tuesday, and the amendment ordered printed.

No. 38, S.,

A bill to appropriate to Dodge county a sum of money therein named.

The clerk was instructed to correct the indorsements on bill, so it would show that the Judiciary committee had reported bill back without amendments.

Senator Price offered the amendment reported by the committee on Charitable and Penal Institutions.

The amendment was referred to the committee on Charitable and Penal Institutions, with instructions to report by bill.

Senator Price moved that the bill be laid aside until Wednesday.

The motion was lost.

The bill was then ordered engrossed and read a third time.]

On motion of Senator Bennett,

No. 60, S.,

A bill to provide for the inspection of illuminating oils manufactured from petroleum or coal oils, and to regulate the sale

thereof, and to repeal section 4359 of chapter 181, revised statutes of 1878,

With pending amendments.

Was recommitted to a select committee consisting of Senator Bennett.

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On motion of Senator Sutherland,  
The senate took a recess till 4 P. M.

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4 o'CLOCK P. M.

The senate met.

The president *pro tem.* in the chair.

The roll was called and the following senators answered to their names:

Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Fifield, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, Kelly, McFetridge, McGrew, Morgan, Paul, Price, Quarles, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Sutherland, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman.

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#### LEAVES OF ABSENCE.

Leave of absence was granted

To Senator McGrew until Tuesday.

To Senators Smith, Bennett and Carter until Monday.

To Senator Fifield, indefinitely.

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#### REPORTS OF COMMITTEES.

The committee on State Affairs, to whom was referred

No. 86, A.,

A bill to amend section 169 of the revised statutes of 1878, entitled of the state officers,

Have had the same under consideration, and have instructed me to report the same back with amendment, and recommend that it be concurred in when so amended.

GEO. B. BURROWS,  
*Chairman.*

The committee on Engrossed Bills have examined and find correctly engrossed,

No. 16, S.,

A bill to authorize John Phelps, his associates or assigns, to erect and maintain a dam across the Wisconsin river, and make other improvements in the Wisconsin river, in Lincoln county,

No. 98, S.,

A bill to authorize the St. Paul & Chicago Short Line Railway Company to construct a bridge over Lake St. Croix,

No. 152, S.,

A bill amendatory of chapter 217, laws of 1874, entitled an act to appropriate to James Reynolds and John Fellenz a sum of money therein named, and to authorize them to bring an action against the state for the amount of their claim not covered by such appropriation.

GEO. W. RYLAND,  
*Chairman.*

#### MESSAGE FROM THE ASSEMBLY.

By J. E. ELDRED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has reconsidered, amended and concurred in

No. 30, S.,

A bill to authorize Jes. Errickson and E. C. Manger to maintain a boom on Kewaunee river, Kewaunee county.

No. 114, S.,

A bill to authorize Thos. B. Scott, his associates and assigns, to build a dam or dams on Prairie river, Lincoln county, Wisconsin, And has passed, and asks concurrence of senate in,

No. 370, A.,

A bill to prevent the manufacturers of lumber, lath or shingles from throwing slabs, edgings, trimmings of lumber or shingles, or saw dust, into the Wisconsin river, or any of its tributaries.

#### ASSEMBLY MESSAGE CONSIDERED.

The assembly amendments to

Nos. 30 and 114, S.,

Were concurred in.

No. 370, A.,

Was referred to the committee on Incorporations.

## BILLS ON THEIR ENGROSSMENT AND THIRD READING.

No. 263, S.,

A bill to authorize the secretary of state to subscribe for biographical sketches of members of the constitutional conventions of 1846 and 1847-8,

No. 264, S.,

A bill to provide for the transfer of insane persons from jails and poor houses to state and county asylums,

Were severally ordered engrossed and read a third time.

The amendments to

No. 161, S.,

A bill to provide for the better accommodation of the incurable insane of Waupaca county,

No. 258, S.,

A bill to appropriate to Wood county a sum of money therein named,

Were adopted, and the bills were ordered engrossed and read a third time.

No. 253, S.,

A bill amending section 122(), chapter 51 of the revised statutes, in relation to license fees of life and accidental insurance companies doing business in the state of Wisconsin,

Was indefinitely postponed.

No. 70, S.,

A bill to appropriate to the state printer a sum of money therein named,

Was recommitted to the committee on Claims.

No. 39, S.,

A bill to include the Chicago & Tomah railroad in the provisions of chapter 153 of the general laws of 1879, and amendatory of said chapter,

Was laid over until Tuesday, the 9th inst.

The amendments to

No. 262, S.,

A bill to regulate the disbursement of public money in certain cases, and prescribing penalties for misappropriation thereof,

Were adopted.

Senator Rankin offered the following amendment:

Amend section 3 by adding, "nothing herein contained shall be so construed as to prevent the employment of the ordinary labor of any state institution, to aid in the prosecution of work for which special appropriations have been made: provided, always, that the current expense shall not be increased thereby."

The amendment was adopted, and the bill was ordered engrossed and read a third time.

On motion of Senator Quarles,

The senate took a recess for fifteen minutes.

4:45 P. M.

The senate was called to order by president *pro tem.* Scott.

On motion of Senator Woodman,

The vote by which No. 264, S., was ordered engrossed and read a third time, was reconsidered.

Senator Woodman offered the following amendment:

Amend by adding the following: Section 6. With the advice and approval of the governor, the state board of charities and reform may contract with the trustees of the Milwaukee county asylum for the insane, for the care and maintenance of the insane convicts now in the state prison at Waupun, and for all convicts that may hereafter become insane, and may transfer such insane convicts to the said asylum.

The price per week to be paid by the state to the county of Milwaukee shall not exceed the cost per week in the state hospital for such care, including board, clothing and medical attendance.

Section 7. The board of trustees of the Milwaukee County Asylum for the Insane are hereby authorized to contract, to care for and maintain the insane convicts, now or hereafter in the state prison, and when such insane convicts are transferred from the prison to the said asylum, they shall be cared for under such rules and regulations as the State Board of Charities and Reform shall prescribe; and should any such convict or convicts become sane or sound in mind, he or they shall be retransferred to the state prison to be dealt with according to law.

The amendment was adopted, and the bill as amended was ordered engrossed and read a third time.

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### REPORTS OF COMMITTEES.

The committee on Incorporations, to whom was referred

No. 190, S.,

A bill to authorize Oscar F. Knapp to keep and maintain a ferry across the St. Croix river between the town of Osceola Mills, Wisconsin, and Minnesota,

Have had the same under consideration, and report it back with the recommendation that it do pass.

GEO. GRIMMER,  
*Chairman.*

---

The committee on Judiciary, to whom was referred

No. 202, S.,

A bill to amend section 12 of chapter 84 of the private and local laws of 1864, entitled an act to incorporate the Black River Improvement Company, approved February 23, 1864,

Have had the same under consideration, and instruct me to report the same back with amendment, and recommend its passage when so amended.

H. E. HOUGHTON,  
*Chairman.*

On motion of Senator Price,  
The rules were suspended, the amendments were adopted, and the bill was read a third time and passed.

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On motion of Senator Kellogg,  
The senate adjourned.

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SATURDAY, MARCH 6, 1880.

The senate met.

The president in the chair.

Prayer by the Rev. Mr. Winter.

The roll was called, and the following senators answered to their names:

Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, Kelly, McFetridge, Paul, Price, Quarles, Richardson, Ryland, Sacket, Scott, Sutherland, Thomas, Van Schaick, Van Steenwyk and Woodman.

The journal of yesterday was approved.

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#### LEAVES OF ABSENCE.

Leave of absence was granted to Senator Van Steenwyk until Tuesday morning, and to

Senator Richardson for the balance of this morning's session.

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Senator Richardson moved that when the senate adjourn it be until 7:30 o'clock Monday evening.

The motion prevailed.

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#### LETTERS, PETITIONS, Etc.

By Senator Thomas:

Pet. No. 206, S.,

To the legislature, adopted at a meeting of 300 citizens of Ver-

non county, asking for the submission to the people of a constitutional amendment prohibiting the manufacturing and sale of intoxicating liquor, except for use as medicine and in the arts.

To special committee consisting of Senator Price.

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### REPORTS OF COMMITTEES.

The committee on Incorporations, to whom was referred

No. 209, A.,

A bill to amend the charter of the city of Waupaca,

Have had the same under consideration, and report it back with the recommendation that it be concurred in.

GEO. GRIMMER,  
*Chairman.*

---

The committee on Enrolled Bills have examined and find correctly enrolled,

No. 88, S.,

A bill to provide for the rebuilding of a portion of the Institution for the Education of the Deaf and Dumb, and to appropriate the sum of money therein named,

No. 53, S.,

A bill fixing the time when wild deer may be taken in the counties of Ashland, Bayfield and Douglas,

No. 129, S.,

A bill to amend chapter 22 of the revised statutes of 1878, entitled of the distribution of public documents,

No. 232, S.,

A bill to appropriate a sum of money therein named to the Horticultural Society,

No. 91, S.,

A bill to appropriate to the Institution for the Education of the Deaf and Dumb a sum of money therein named,

No. 159, S.,

A bill to aid the Eastern Monroe County Agricultural Society,

No. 225, S.,

A bill in relation to fences, and to amend section 1391 of the revised statutes of 1878,

No. 139, S.,

A bill to amend section 5 of chapter 51 of the general laws of 1866, entitled an act to authorize the use of money arising from the sale of certain swamp and overflowed lands in the counties of Manitowoc and Calumet, for drainage and other purposes, and to amend chapter 537 of the laws of 1865, relating thereto,

No. 127, S.,

A bill to amend section 680 of the revised statutes of 1878, relating to claims against counties,

Have had the same under consideration, and instruct me to report the same back with amendment, and recommend its passage when so amended.

H. E. HOUGHTON,  
*Chairman.*

On motion of Senator Price,  
The rules were suspended, the amendments were adopted, and the bill was read a third time and passed.

---

On motion of Senator Kellogg,  
The senate adjourned.

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SATURDAY, MARCH 6, 1880.

The senate met.

The president in the chair.

Prayer by the Rev. Mr. Winter.

The roll was called, and the following senators answered to their names:

Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, Kelly, McFetridge, Paul, Price, Quarles, Richardson, Ryland, Sacket, Scott, Sutherland, Thomas, Van Schaick, Van Steenwyk and Woodman.

The journal of yesterday was approved.

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#### LEAVES OF ABSENCE.

Leave of absence was granted to Senator Van Steenwyk until Tuesday morning, and to  
Senator Richardson for the balance of this morning's session.

---

Senator Richardson moved that when the senate adjourn it be until 7:30 o'clock Monday evening.

The motion prevailed.

---

#### LETTERS, PETITIONS, Etc.

By Senator Thomas:

Pet. No. 206, S.,

To the legislature, adopted at a meeting of 300 citizens of Ver-

non county, asking for the submission to the people of a constitutional amendment prohibiting the manufacturing and sale of intoxicating liquor, except for use as medicine and in the arts.

To special committee consisting of Senator Price.

---

### REPORTS OF COMMITTEES.

The committee on Incorporations, to whom was referred

No. 209, A.,

A bill to amend the charter of the city of Waupaca,

Have had the same under consideration, and report it back with the recommendation that it be concurred in.

GEO. GRIMMER,  
*Chairman.*

---

The committee on Enrolled Bills have examined and find correctly enrolled,

No. 88, S.,

A bill to provide for the rebuilding of a portion of the Institution for the Education of the Deaf and Dumb, and to appropriate the sum of money therein named,

No. 53, S.,

A bill fixing the time when wild deer may be taken in the counties of Ashland, Bayfield and Douglas,

No. 129, S.,

A bill to amend chapter 22 of the revised statutes of 1878, entitled of the distribution of public documents,

No. 232, S.,

A bill to appropriate a sum of money therein named to the Horticultural Society,

No. 91, S.,

A bill to appropriate to the Institution for the Education of the Deaf and Dumb a sum of money therein named,

No. 159, S.,

A bill to aid the Eastern Monroe County Agricultural Society,

No. 225, S.,

A bill in relation to fences, and to amend section 1391 of the revised statutes of 1878,

No. 139, S.,

A bill to amend section 5 of chapter 51 of the general laws of 1866, entitled an act to authorize the use of money arising from the sale of certain swamp and overflowed lands in the counties of Manitowoc and Calumet, for drainage and other purposes, and to amend chapter 537 of the laws of 1865, relating thereto,

No. 127, S.,

A bill to amend section 680 of the revised statutes of 1878, relating to claims against counties,

No. 138, S.,

A bill to appropriate to the Northern Wisconsin Agricultural and Mechanical Association a sum of money therein named,

No. 30, S.,

A bill to authorize A. D. Lunt and Peter Musser to build a dam across and otherwise improve Elk river, in Price county, for log driving purposes,

GEO. E. SUTHERLAND,

*Chairman.*

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The committee on Charitable and Penal Institutions, to whom was referred that portion of the governor's message relating to the charitable and penal institutions of the state,

Have had the same under consideration, and instructed me to report by bill.

H. RICHARDSON,

*Chairman.*

By the committee on Charitable and Penal Institutions:

No. 267, S.,

A bill to provide for the settlement of accounts against the state for care of insane persons.

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The committee on Town and County Affairs, to whom was referred

No. 155, S.,

A bill to correct and fix the boundaries between the county of New and the county of Shawano, and for the separate organization of the county of New, and to repeal such portions of sections 12, 13, 14 and 15, of chapter 114 of the general laws of 1879 as conflict with this act,

Have had the same under consideration, and have instructed me to report the same back with an amendment, and recommend the passage of the bill when so amended.

CHAS. L. DERING,

*Chairman.*

On motion of Senator Grimmer,

The rules were suspended, the amendments to the bill were adopted, and the bill was read a third time and passed.

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The committee on State Affairs, to whom was referred

Jt. Res. No. 12, A.,

Providing an amendment to section 1 of article 3 of the constitution of Wisconsin, relating to suffrage,

Would respectfully report that they have had the same under consideration, that the resolution has no indorsements thereon showing that it has constitutionally passed the assembly, nor does the journal of that body show such to be the case; therefore your committee deem it idle to report upon the merits or advisability of

concurring in such proposed amendment, and would therefore recommend its return to the assembly.

G. B. BURROWS,  
E. C. McFETRIDGE,  
MATT. ANDERSON.

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The committee on Judiciary, to whom was referred  
No. 145, S.,

A bill in relation to swamp lands in the counties of Marathon, Chippewa, Clark, Shawano, Oconto and Marinette,

Have had the same under consideration, and instruct me to report the same back with an amendment, and recommend its passage when so amended.

H. E. HOUGHTON,  
*Chairman.*

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The committee on Engrossed Bills have examined and find correctly engrossed,

No. 38, S.,

A bill to appropriate to Dodge county a sum of money therein named.

GEO. W. RYLAND,  
*Chairman.*

---

The committee on Finance, Banks and Insurance, to whom was referred

No. 206, A.,

A bill to prohibit unauthorized companies and agents from transacting the business of insurance in this state, and relating to the business of insurance,

Have had the same under consideration, and have instructed me to report the same back to the senate with amendments, and recommend that the bill be concurred in when so amended.

G. VAN STEENWYK,  
*Chairman.*

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#### REPORTS OF SPECIAL COMMITTEES.

The special committee to whom was referred  
No. 60, S.,

A bill to provide for the inspection of illuminating oils manufactured from petroleum or coal oils, and to regulate the sale thereof, and to repeal section 4359 of chapter 181, revised statutes of 1878,

Have had the same under consideration, and report the same back with amendments, and recommend its passage when so amended, and that the amendments be printed.

J. B. BENNETT,  
*Committee.*

So ordered.

## EXECUTIVE COMMUNICATION.

STATE OF WISCONSIN,  
*Executive Department,*  
MADISON, *March 6, 1880.*

*To the honorable the legislature:*

The senators and those representatives in congress from Wisconsin whose constituents are more immediately interested in and affected by the proposed improvement of the St. Croix, Chippewa and Upper Wisconsin rivers, unite in representing to me that it is probable congress will, at its present session, provide for the construction of reservoirs upon the head waters of these rivers, and they therefore urge that the state withdraw from sale all its lands likely to be required in the erection of the proposed dams, and for the reservoirs to be created thereby, and provide all other legislation necessary to enable the government to prosecute this work without delay.

Major Allen, the engineer who has had charge of the preliminary surveys for this work, estimates that the proposed improvements will require 59,143.64 acres of the swamp lands, and 7,796.75 acres of the school lands now belonging to the state. If this work is to be commenced this season, these lands should be withdrawn from sale at once, and authority given, under suitable restrictions, for their appropriation by the United States.

I therefore submit the matter for your consideration and such action as you shall deem best calculated to subserve the interests of Wisconsin.

WILLIAM E. SMITH.

## MESSAGE FROM THE ASSEMBLY.

By J. E. ELDRED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has passed, and asks concurrence of senate in,

No. 5, A.,

A bill to authorize James W. Heather and James McGee and their assigns, to build and maintain a dam on and across that branch of the Chippewa river in Chippewa county, Wisconsin, called the Deer Tail,

No. 143, A.,

A bill to repeal chapter 367 of the general laws of 1876, entitled an act to protect fish in the Baraboo river, in the counties of Columbia, Sauk, Juneau, Monroe and Vernon,

No. 270, A.,

A bill to amend sections 4744 and 4809 of the revised statutes, relating to a change of venue in criminal cases,

No. 244, A.,

A bill to prevent the adulteration of food and medicines and provide for analyzing the same.

And has concurred in

No. 67, S.,

A bill to provide for the appointment of register of probate of the county court of Milwaukee county, and for other purposes,

No. 154, S.,

A bill to appropriate to the Bell Telephone Company of Madison, Wisconsin, a sum of money therein named,

No. 240, S.,

A bill to amend chapter 89, laws of 1877, entitled an act to incorporate the city of Chilton,

And has amended, and concurred in as amended,

No. 149, S.,

A bill to preserve and promote the public health in the city of Milwaukee,

And has indefinitely postponed

No. 210, S.,

A bill to amend subdivision 3 of section 2586 of the revised statutes of 1878, relating to admissions to the bar,

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#### ASSEMBLY MESSAGE CONSIDERED.

No. 143, A.,

Was referred to the committee on State Affairs.

No. 5, A.,

Was referred to the committee on Incorporations.

Nos. 270 and 244, A.,

Were referred to the Judiciary committee.

The assembly amendments to

No. 149, S.,

Were concurred in.

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#### RESOLUTIONS CONSIDERED.

Jt. Res. No. 18, S.,

Relating to the improvement of the Wisconsin and Fox rivers,  
Was adopted.

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#### BILLS READY FOR A THIRD READING.

No. 16, S.,

A bill to authorize John Phelps, his associates or assigns, to erect and maintain a dam across the Wisconsin river, and make other improvements in the Wisconsin river in Lincoln county,

No. 98, S.,

A bill to authorize the St. Paul & Chicago Short Line Railway Company to construct a bridge over Lake St. Croix,

Were severally read a third time and passed.

No. 152, S.,

A bill amendatory of chapter 217, laws of 1874, entitled an act to appropriate to James Reynolds and John Fellenz a sum of money therein named, and to authorize them to bring an action against the state for the amount of their claim not covered by such appropriation,

Was refused passage,

The ayes and noes being demanded, it was decided in the negative: ayes 7; noes 16.

The vote was as follows:

*Ayes* — Senators Blackstone, Carter, Grimmer, Kelly, Paul, Sacket and Van Schaick — 7.

*Noes* — Senators Bennett, Chipman, Dering, Griffin, Houghton, Kellogg, McFetridge, Price, Quarles, Richardson, Ryland, Scott, Sutherland, Thomas, Van Steenwyk and Woodman — 16.

Senator Kellogg moved that the vote by which the senate refused to pass the bill be reconsidered, and that the motion lay over until Tuesday.

No. 122, A.,

A bill to amend subdivision 1 of section 339 of chapter 20 of the revised statutes, entitled of public printing,

No. 165, A.,

A bill relating to the assessment of personal property for taxation, and to amend section 1040 of the revised statutes,

No. 169, A.,

A bill to authorize the city of Neenah to borrow money,

No. 176, A.,

A bill to amend section 1940 of chapter 89 of revised statutes, relating to town insurance companies,

No. 223, A.,

A bill to legalize the acts of the Linden Town Mutual Fire Insurance Company in Iowa county,

No. 224, A.,

A bill authorizing the city of Racine to transfer certain money from any available fund of said city to the poor fund,

No. 228, A.,

A bill to amend section 1390 of chapter 55 of the revised statutes of 1878, relating to fences,

No. 340, A.,

A bill relating to the killing of deer in Door county, and amendatory of section 4 of chapter 40 of the laws of 1879,

No. 350, A.,

A bill authorizing the commissioners of public lands of the state of Wisconsin to extend the time of payment of the loan made from the school fund to school district number six, in the town of Union,

No. 390, A.,

A bill to authorize the towns of Carlton, Krok and Pierce, in Kewaunee county, to vote upon the question of voting aid for the construction of Kewaunee harbor, Kewaunee county,

M. C. No. 8, A.,

Memorial to congress for an appropriation to restore the Oconto river from the city of Oconto to its mouth to a navigable condition, to straighten and shorten its channel and protect its mouth,

M. C. No. 13, A.,

Memorial to congress for an appropriation for the harbor at Manitowoc,

Were severally read a third time and concurred in.

No. 396, A.,

A bill to appropriate a sum of money therein named, to pay for chaplain services in the legislature for the year 1880,

Was read a third time and concurred in.

The ayes and noes being required, it was decided in the affirmative; ayes 22; noes 0.

The vote was as follows:

*Ayes* — Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Dering, Griffin, Grimmer, Haben, Houghton, Kellogg, Kelly, Price, Quarles, Ryland, Scott, Sutherland, Thomas, Van Schaick, Van Steenwyk and Woodman — 22.

*Noes* — None.

No. 110, A.,

A bill to appropriate to Kewaunee county a sum of money therein named,

Was read a third time and concurred in.

The ayes and noes being demanded, it was decided in the affirmative: ayes, 21; noes, 1; not voting, 11.

The vote was as follows:

*Ayes* — Senators Anderson, Bennett, Blackstone, Burrows, Chipman, Griffin, Grimmer, Haben, Houghton, Kellogg, Kelly, McFetridge, Paul, Price, Quarles, Ryland, Scott, Sutherland, Thomas, Van Steenwyk and Woodman — 21.

*Noes* — Senator Carter — 1.

*Not voting* — Senators Dering, Fifield, Hyde, McGrew, Morgan, Rankin, Richardson, Sacket, Smith, Van Schaick and Weaver — 11.

No. 194, A.,

A bill to authorize G. W. Cate and N. N. McLeod to build a dam across, for flooding purposes, and otherwise improve Spirit river, in Price county, Wisconsin.

With unanimous consent Senator Griffin offered the following amendment to the bill:

Amend by inserting after the word "same" in the seventh line of section 2 of the engrossed bill, the following words, viz.: "and shall so improve said river as to make driving reasonably certain."

The amendment was adopted,

And the bill read a third time and concurred in.

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#### BILLS ON THEIR THIRD READING.

No. 86, A.,

A bill to amend section 169 of the revised statutes, entitled of state officers,

Was ordered to a third reading.

The amendments to

No. 31, A.,

A bill to provide for the individual liability of stockholders in banks and banking associations,

No. 100, A.,

A bill to authorize the commissioners of public lands to loan a portion of the trust funds of the state to Taylor county,

Were adopted, and the bills were severally ordered to a third reading.

No. 57 A.,

A bill to provide for the publication of proceedings of county boards of supervisors,

No. 102, A.,

A bill to authorize the commissioners of public lands to loan a portion of the trust funds to the city of Stevens Point, county of Portage, to enable said city to pay off and cancel a portion of its bonded indebtedness,

Was laid over until Tuesday.

No. 95, A.,

A bill relating to the appropriation of money to the state board of immigration, and amendatory of section 7, chapter 176, laws of 1879,

Was laid over until Tuesday and ordered printed.

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#### BILLS ON THEIR ENGROSSMENT AND THIRD READING.

No. 211, S.,

A bill to amend chapter 2 of chapter 12 of the private and local laws of 1858, entitled an act to incorporate the city of Ripon,

Was ordered engrossed and read a third time.

No. 93, S.,

A bill to appropriate to the State Hospital for the Insane a certain sum of money therein named to pay indebtedness,

Was laid over until Tuesday morning.

No. 190, S.,

A bill to authorize Oscar F. Knapp to keep and maintain a ferry across the St. Croix river between the town of Osceola Mills, Wisconsin, and Minnesota,

Was laid over until Tuesday morning and ordered printed.

No. 265, S.,

A bill to relieve a certain counter-claim of Simeon Mills, from the effect of the statute of limitation.

Senator Dering offered the following amendment:

Amend by inserting after the word "worth," in the seventh line of printed bill, as follows: After deducting all interest he may have received for the use of the funds in his hands as such treasurer.

On motion of Senator Kellogg,

The bill, with pending amendment, was laid over until Tuesday.

The ayes and noes being demanded, it was decided in the affirmative: ayes, 18, noes, 5; not voting, 10.

The vote was as follows:

*Ayes* — Senators Blackstone, Burrows, Dering, Grimmer, Hyde, Kellogg, Kelly, McFetridge, Paul, Price, Quarles, Ryland, Sacket, Scott, Sutherland, Thomas, Van Schaick and Woodman — 18.

*Noes* — Senators Bennett, Chipman, Griffin, Houghton and Van Steenwyk — 5.

*Not voting* — Senators Anderson, Carter, Fifield, Haben, McGrew, Morgan, Rankin, Richardson, Smith and Weaver — 10.

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On motion of Senator Sutherland,  
The senate adjourned.

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MONDAY, MARCH 8, 1880.

7:30 o'clock P. M.

The senate met.

The president in the chair.

The roll was called, and the following senators answered to their names:

Senators Anderson, Bennett, Blackstone, Burrows, Carter, Dering, Grimmer, Haben, Houghton, Hyde, Kellogg, Kelly, McFetridge, McGrew, Morgan, Paul, Quarles, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Sutherland, Thomas, Van Schaick, Weaver and Woodman.

The journal of Saturday was approved.

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#### LEAVES OF ABSENCE.

Leave of absence was granted

To Senator Griffin until to-morrow.

To Senator Chipman indefinitely.

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#### REPORTS OF COMMITTEES.

The committee on Incorporations, to whom was referred  
No. 181, S.,

A bill to amend chapter 231 of the laws of 1876, entitled an act to amend and re-enact as amended, chapter 333 of the laws of 1875, entitled an act to amend chapter 16 of the private and local laws of 1872, entitled an act to incorporate the city of Eau Claire, so as to authorize the construction of water works by and for said city,

Have had the same under consideration, and report it back with an amendment, and recommend that it do pass when so amended.

No. 397, A.,

A bill to amend an act entitled an act to amend, revise and consolidate the city charter of the city of Fond du Lac,

No. 255, A.,

A bill to amend chapter 147 of the laws of 1879, entitled an act to authorize James and William Johnson to erect, maintain and keep up a dam across Willow river, in St. Croix county, Wisconsin,

With the recommendation that they be concurred in.

GEO. GRIMMER,  
*Chairman.*

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The committee on Engrossed Bills have examined and find correctly engrossed,

No. 6, S.,

A bill for the prevention of cruelty to minors,

No. 211, S.,

A bill to amend chapter 2 of chapter 12 of the private and local laws of 1858, entitled an act to incorporate the city of Ripon,

No. 161, S.,

A bill to provide for the better accommodation of the incurable insane of Waupaca county,

No. 146, S.,

A bill to appropriate to the county of Kenosha a certain sum of money therein named,

No. 192, S.,

A bill to amend chapter 171 of the private and local laws of 1868, entitled an act to incorporate the Wisconsin River Improvement Company, and to amend chapter 298 of the laws of 1876, amendatory thereof,

No. 258, S.,

A bill to appropriate to Wood county a sum of money therein named,

No. 262, S.,

A bill to regulate the disbursement of public money in certain cases, and prescribing penalties for misappropriation thereof,

No. 263, S.,

A bill to authorize the secretary of state to subscribe for biographical sketches of members of the constitutional conventions of 1846 and 1847-8,

No. 264, S.,

A bill to provide for the transfer of insane persons from jails and poor houses to state and county asylums.

GEO. W. RYLAND,  
*Chairman.*

On motion of Senator Quarles,  
The rules were suspended, and  
No. 146, S.,

Was read a third time and passed.

The ayes and noes being demanded, it was decided in the affirmative: ayes, 19; noes, 3.

The vote was as follows:

*Ayes* — Senators Anderson, Bennett, Blackstone, Dering, Grimmer, Haben, Houghton, Hyde, McFetridge, Paul, Quarles, Richardson, Ryland, Scott, Smith, Sutherland, Thomas, Van Schaick and Woodman — 19.

*Noes* — Senators Carter, Kelly and McGrew — 3.

On motion of Senator Scott,

The rules were suspended, and

No. 258, S.,

Was read a third time and passed.

The ayes and noes being required, it was decided in the affirmative: ayes 19; noes 6.

*Ayes* — Senators Anderson, Bennett, Burrows, Grimmer, Haben, Houghton, Hyde, Kellogg, McFetridge, Paul, Quarles, Richardson, Ryland, Scott, Smith, Sutherland, Thomas, Van Schaick and Woodman — 19.

*Noes* — Senators Carter, Dering, Kelly, McGrew, Morgan and Weaver — 6.

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The committee on Education, to whom was referred

No. 218, A.,

A bill to authorize the granting of state certificates to graduates of colleges and universities,

Have had the same under consideration, and have instructed me to report the same back with the recommendation that it be concurred in.

EDWIN E. WOODMAN,  
*Chairman.*

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The committee on State Affairs, to whom was referred

No. 260, S.,

A bill relating to a military road, so called, in the state of Wisconsin, and repealing the act exempting the same,

Have had the same under consideration, and report the same back with amendment, and recommend its passage when so amended.

GEO. B. BURROWS,  
*Chairman.*

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The committee on Judiciary, to whom was referred

No. 76, S.,

A bill to provide for the incorporation of religious societies in connection with Congregational churches,

Have had the same under consideration, and instruct me to report the same back with amendment, and recommend that it do pass when so amended.

No. 160, A.,

A bill to provide for service of process upon transportation companies, and the appointment of an attorney therefor within this state,

No. 121, A.,

A bill to amend section 3368 of chapter 145 of the revised statutes of 1878, in relation to appeals from justice courts,

No. 244, A.,

A bill to prevent the adulteration of food and medicines and provide for analyzing the same,

Report the same back with amendments, and recommend that they be concurred in when so amended.

No. 80, A.,

A bill to amend section 914 of the revised statutes, relating to taxes levied by village boards,

With the recommendation that it be concurred in.

No. 94, A.,

A bill providing for the disposal of redemption money remaining in the hands of county clerks more than six years,

No. 199, A.,

A bill to amend section 4115 of the revised statutes of 1878, relating to depositions taken without the state,

No. 229, A.,

A bill to amend section 3774 of chapter 161 of the revised statutes of 1878, relating to fees of justices,

No. 270, A.,

A bill to amend sections 4744 and 4809 of the revised statutes, relating to a change of venue in criminal cases,

No. 283, A.,

A bill to amend section 4772 of chapter 194 of the revised statutes, entitled fines, to whom paid,

With the recommendation that they be indefinitely postponed.

No. 201, A.,

A bill relating to the revised statutes, and amending the same,

With the recommendation that it be recommitted to the Milwaukee Delegation.

No. 314, A.,

A bill to amend chapter 67 of the laws of Wisconsin for 1879, entitled of justices of the peace in the city of Watertown,

With the recommendation that the same be recommitted to a special committee consisting of Senator Bennett.

H. E. HOUGHTON,  
*Chairman.*

So ordered as to

Nos. 201, A., and 314, A.

On motion of Senator Sutherland,

Nos. 94 and 244, A.,

Were recommitted to the Judiciary committee.

The committee on Judiciary, to whom was referred

No. 248, S.,

A bill relating to the competency of witnesses in certain cases, Have had the same under consideration, and instruct me to report the same back with the recommendation that it be indefinitely postponed.

No. 58, A.,

A bill to amend section 1863 of the revised statutes, and to authorize the laying out of street railways and tramways in villages and towns,

No. 60, A.,

A bill relating to and amendatory of section 3326 of chapter 143, revised statutes of 1878, entitled of liens,

No. 69, A.,

A bill to legalize the acts of W. H. Gibson, a justice of the peace in Trempealeau county,

No. 101, A.,

A bill in relation to a ferry across the Mississippi river, and amendatory of chapter 216 of the private and local laws of 1871, entitled an act to authorize Henry Gardner and Albert H. Wareham to keep and maintain a ferry across the Mississippi river at a point where the line of Crawford and Vernon counties strikes said river,

No. 144, A.,

A bill to amend section 2623, chapter 119, of the revised statutes of 1878, entitled of the place of trial of civil actions,

No. 145, A.,

A bill to amend section 3331 of chapter 143, revised statutes, entitled liens upon logs and lumber,

No. 172, A.,

A bill to amend section 14 of chapter 103, laws of 1879, relating to tax deeds in Price county,

No. 179, A.,

A bill to amend sections 2489, 2490 and 2498 of the revised statutes of 1878, relative to the municipal court of the city and town of Ripon,

No. 181, A.,

A bill to amend section 3725 of chapter 158 of the revised statutes of 1878, relating to proceedings in garnishment,

No. 345, A.,

A bill relating to attachments, and amendatory of section 2731 of the revised statutes,

With the recommendation that they be concurred in.

No. 282, A.,

A bill to amend section 4565 of chapter 185 of the revised statutes of 1878, entitled of offenses against public policy,

No. 343, A.,

A bill to amend sections 1785 and 1786, chapter 86, revised statutes, on the organization of incorporations,

No. 361, A.,

A bill relating to the compensation of county judges in certain cases,

No. 120, A.,

A bill to amend section 351 of chapter 22 of the revised statutes of 1878, in relation to the distribution of public documents,

With the recommendation that the same be indefinitely postponed.

No. 398, A.,

A bill to ratify, confirm and make valid the acts and contracts of the state timber agent therein named,

With the recommendation that it be recommitted to committee on State Affairs.

H. E. HOUGHTON,  
*Chairman.*

So ordered.

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The committee on Enrolled Bills have examined and find correctly enrolled,

No. 30, S.,

A bill to authorize A. D. Lunt and Peter Musser, their associates and assigns, to build a dam across and otherwise improve Elk river, in Price county, for log driving purposes,

No. 147, S.,

A bill to appropriate the sum of five hundred dollars to the Central Wisconsin Agricultural and Mechanical Association,

No. 137, S.,

A bill to amend section 2922 of the revised statutes, concerning costs and fees allowed to parties in circuit courts,

No. 115, S.,

A bill to appropriate a certain sum of money therein named to the Wisconsin Industrial School for Girls,

No. 135, S.,

A bill to appropriate to the State Agricultural Society the sum of money therein named,

No. 146, S.,

A bill to authorize Joseph S. Wilson, his associates and assigns, to construct and maintain a boom and piers in the Chippewa river, in the city of Eau Claire,

No. 133, S.,

A bill to authorize W. F. Bailey, Geo. W. Mason, R. J. Kepler and A. L. Dodge, and their associates and assigns, to build and maintain a bridge over and across the Chippewa river,

No. 154, S.,

A bill to appropriate to the Bell Telephone Company of Madison, a sum of money therein named,

No. 229, S.,

A bill to appropriate to R. R. Fallows a sum of money therein named.

G. E. SUTHERLAND,  
*Chairman.*

## REPORTS OF COMMITTEES.

The select committee of one, to whom was referred

No. 243, S.,

A bill pertaining to and amendatory of the charter of the city of Milwaukee,

Has had the same under consideration and reports it back without recommendation, and that the same be printed.

EDWIN E. HYDE,  
*Committee.*

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The select committee to whom was referred

No. 175, A.,

A bill to amend section 2 of sub-chapter 3 of chapter 159, of the laws of 1878, relating to the charter of the city of Chippewa Falls, and to revise and re-enact section 10 of sub-chapter 4, and section 4 of sub-chapter 7, and section 3 of sub-chapter 12, and section 10 of sub-chapter 15, of said chapter 159,

Has had the same under consideration, and reports it back and recommends it be recommitted to the committee on Incorporations.

THOMAS B. SCOTT,  
*Committee.*

So ordered.

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## MESSAGE FROM THE ASSEMBLY.

By J. E. ELDRED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has concurred in the following senate bills:

No. 46, S.,

A bill relating to the payment of fees upon settlement of estates of deceased persons in the county of Milwaukee, and amendatory of section 2483 of the revised statutes of 1878,

No. 178, S.,

A bill to authorize Delos R. Moon, his associates or assigns, to improve Wolf river, a tributary of the north fork of the Eau Claire river, in the counties of Clark, Chippewa and Eau Claire,

No. 179, S.,

A bill to authorize Delos R. Moon, his associates and assigns, to improve Muskrat river, a tributary of the Eau Claire river, in the county of Eau Claire,

No. 133, S.,

A bill to authorize W. F. Bailey, Geo. W. Mason, R. J. Kepler and A. S. Dodge, and their associates and assigns, to build and maintain a bridge over and across the Chippewa river,

No. 134, S.,

A bill to amend chapter 231 of the laws of 1876, entitled an act

to amend and re-enact, as amended, chapter 333 of the laws of 1875, entitled an act to amend chapter 16 of the private and local laws of 1872, entitled an act to incorporate the city of Eau Claire so as to authorize the construction of water works by and for said city,

No. 111, S.,

A bill to authorize A. B. McDonnell, his associates and assigns, to build and maintain a dam across, and otherwise improve, Pine creek, in Price county, Wisconsin,

No. 180, S.,

A bill to authorize Delos R. Moon, his associates or assigns, to improve Otter creek, a tributary of Wolf river, in the counties of Clark and Chippewa,

No. 151, S.,

A bill to confer certain police powers upon agents of the Wisconsin Humane Society,

No. 196, S.,

A bill to improve Hay creek, a branch of the Eau Claire river, in the county of Clark, for driving logs out of said creek,

No. 221, S.,

A bill to amend section 131 of the revised statutes, relating to sheriffs' fees,

No. 228, S.,

A bill to amend chapter 407 of the private and local laws of 1868, entitled an act to enable the city of Kenosha to readjust and fund its indebtedness,

No. 226, S.,

A bill relating to fees and costs, and to amend the revised statutes of 1878,

No. 246, S.,

A bill to authorize Joseph S. Wilson, his associates and assigns, to construct and maintain a boom and piers in the Chippewa river in the city of Eau Claire,

No. 135, S.,

A bill to appropriate to the State Agricultural Society the sum of money therein named,

No. 115, S.,

A bill to appropriate a certain sum of money therein named to the Wisconsin Industrial School for Girls,

No. 147, S.,

A bill to appropriate the sum of one thousand dollars to the Central Wisconsin Agricultural and Mechanical Association,

No. 29, S.,

A bill to amend chapter 34 of the revised statutes, entitled of the militia and the act amendatory thereof, and to provide for the greater efficiency of the Wisconsin National Guard,

No. 229, S.,

A bill to appropriate to R. R. Fallows a sum of money therein named,

No. 86, S.,

A bill to amend section 4565 of the revised statutes, relating to certain game,

And has passed, and asks the concurrence of the senate in,  
No. 54, A.,  
A bill regulating the rate of interest,  
No. 394, A.,  
A bill to authorize the city of Boscobel to invest its surplus  
bridge funds,  
And has adopted, and asks the concurrence of the senate in,  
Jt. Res. No. 30, A.,  
Providing for final adjournment of the legislature,  
And has concurred with the senate in senate amendments to  
No. 396, A.,  
A bill to appropriate a sum of money therein named to pay for  
chaplain service in the legislature for the year 1880,  
And has concurred in  
No. 189, S.,  
A bill to grant sixty days additional time to the North Wisconsin  
Railway Company for the completion of a portion of the rail-  
way, and to confer on aforesaid company the optional right therein  
mentioned,  
And has adopted and asks the concurrence of the senate in  
Jt. Res. No. 31, A.,  
Granting leave to introduce a bill for certain purposes,  
And has concurred with the senate in senate amendments to  
No. 176, A.,  
A bill to amend section 1940 of chapter 89 of revised statutes,  
relating to town insurance companies,  
No. 223, A.,  
A bill to legalize the acts of the Linden Town Mutual Fire In-  
surance Company in Iowa county, and the Otsego and Springvale  
Mutual Fire Insurance Company of Columbia county,  
And has concurred in senate amendments to  
No. 194, A.,  
A bill to authorize G. W. Cate and N. N. McLeod to build a  
dam across, for flooding purposes, and otherwise improve Spirit  
river, in Price county.

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#### ASSEMBLY MESSAGE CONSIDERED.

Nos. 54 and 394, A.,  
Were referred to the Judiciary committee.  
Jt. Res. No. 30, A.,  
Was referred to the committee on State Affairs.  
Jt. Res. No. 31, A.,  
Was laid over until to-morrow.

## RESOLUTIONS CONSIDERED.

On motion of Senator Burrows,  
Jt. Res. No. 12, A.,  
Providing an amendment to section 1 of article 3 of the constitution of Wisconsin, relating to suffrage,  
Was returned to the assembly for correction.

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## BILLS READY FOR A THIRD READING.

No. 38, S.,  
A bill to appropriate to Dodge county a sum of money therein named,  
Was read a third time and passed.  
The ayes and noes being required, it was decided in the affirmative: ayes, 22; noes, 2; not voting, 9.  
The vote was as follows:  
*Ayes* — Senators Anderson, Bennett, Blackstone, Burrows, Dering, Grimmer, Haben, Houghton, Hyde, Kellogg, McFetridge, Paul, Quarles, Richardson, Sacket, Scott, Smith, Sutherland, Thomas, Van Schaick, Weaver and Woodman — 22.  
*Noes* — Senators Carter and McGrew — 2.  
*Not voting* — Senators Chipman, Fifield, Griffin, Kelly, Morgan, Price, Rankin, Ryland and Van Steenwyk — 9.  
No. 86, A.,  
A bill to amend section 169 of the revised statutes of 1878, entitled of the state officers,  
No. 100, A.,  
A bill to authorize the commissioners of public lands to loan a portion of the trust funds of the state to Taylor county,  
Were severally read a third time and concurred in.  
No. 31, A.,  
A bill to provide for the individual liability of stockholders in banks and banking associations,  
Was laid over until to-morrow.

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## BILLS ON THEIR THIRD READING.

No. 209, A.,  
A bill to amend the charter of the city of Waupaca,  
Was ordered to a third reading.  
No. 206, A.,  
A bill to prohibit unauthorized companies and agents from transacting the business of insurance in this state, and relating to the business of insurance,  
With pending amendments,  
Was laid over until Wednesday, the 10th inst., and the amendments ordered printed.

**BILLS ON THEIR ENGROSSMENT AND THIRD READING.**

The amendment reported by the Judiciary committee to the amendment to

No. 145, S.,

A bill in relation to swamp lands in the counties of Marathon, Chippewa, Clark, Shawano, Oconto and Marinette,

Was adopted.

Senator Kellogg offered the following amendment to the amendment:

Amend by inserting after the word "lands," in the second line of the bill as printed, the words "except such land as may be required for the construction of reservoirs upon the head waters of St. Croix, Chippewa and Wisconsin rivers, to be constructed hereafter under any act of congress, as shown by the report of Capt. Chas. J. Allen, engineer in charge of that work, dated January 15, 1880."

The amendment was adopted.

The senate then refused to order the bill engrossed and read a third time.

The ayes and noes being demanded, it was decided in the negative: ayes 8; noes 12.

The vote was as follows:

*Ayes* — Senators Grimmer, Houghton, Hyde, Kelly, McFetridge, Sacket, Scott and Sutherland — 8.

*Noes* — Senators Anderson, Carter, Dering, Kellogg, McGrew, Morgan, Rankin, Richardson, Ryland, Smith, Weaver and Woodman — 12.

Senator Kellogg moved to adjourn.

Pending the motion, the president of the senate said:

Before putting the motion to adjourn, I desire to say that, having been called away by a telegram received this afternoon, which is imperative in its character and requires my absence after to-night, that I return to you, senators, one and all, my sincere thanks for the uniform courtesy and kindness which you have exhibited to me, during the whole of this session, and for the aid and assistance you have rendered me in the discharge of my duties, and I congratulate the people of the state of Wisconsin upon the conscientious and able manner in which you have conducted the legislation of the session in the general discharge of your duties.

I leave the chair with less regret, for I know that I shall leave it to a successor (your elected president) who will ably and faithfully discharge his duties and to your satisfaction, and I trust that the remaining days of this session will be characterized by the same fidelity and conscientious regard to duty which have marked your past course.

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The senate then adjourned.

TUESDAY, MARCH 9, 1880.

10 o'CLOCK A. M.

The senate met.

President *pro tem.* Scott in the chair.

Prayer by the Rev. Mr. Winn.

The roll was called, and the following senators answered to their names:

Senators Anderson, Bennett, Blackstone, Burrows, Carter, Dering, Fifield, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, Kelly, McFetridge, McGrew, Morgan, Paul, Price, Quarles, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Sutherland, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman.

The journal of yesterday was approved.

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#### REPORTS OF COMMITTEES.

The committee on State Affairs, to whom was referred  
No. 249, S.,

A bill to amend section 1570 of chapter 67 of the revised statutes of 1878, relating to peddlers,

Have had the same under consideration, and have instructed me to report the same back with an amendment, and recommend that it be, with pending amendments, recommitted to the Judiciary committee.

GEO. B. BURROWS,  
*Chairman.*

So ordered.

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The committee on Agriculture, to whom was referred  
No. 182, S.,

A bill to provide for draining wet or swamp lands and lead or coal mines,

Have had the same under consideration, and report it back with the recommendation that it do pass.

No. 247, A.,

A bill relating to and amendatory of section 1391 of chapter 55, entitled of fences,

With amendment, and recommend that it be concurred in when so amended.

JOHN W. BLACKSTONE,  
*Chairman.*

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The committee on Engrossed Bills have examined and find correctly engrossed:

No. 167, S.,

A bill to consolidate and amend an act entitled an act to incorporate the city of Madison, and the several acts amendatory thereof.

GEO. W. RYLAND,  
*Chairman.*

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The minority of the select committee to which was referred

No. 217, A.,

A bill to amend sub-chapter 8 of chapter 184 of the laws of 1874,  
Beg leave to report as follows:

*To the honorable the senate:*

The majority report on bill No. 217, A., having been made without the latter having been considered by the Milwaukee Senatorial Delegation, and while I had reason to believe that the senator from the sixth district would, under no circumstances, sign *any* report, but would remain strictly neutral in the matter, I beg to submit this minority report.

I cannot agree with the majority of the Milwaukee Senatorial Delegation, but do recommend that this bill do pass. The majority report furnishes no reason why said bill should *not* pass; as a matter of fact, none can be given, aside from mere personal or local considerations, and I will content myself with stating the reasons why said bill *should* pass.

In dividing the city of Milwaukee into certain sewerage districts, the fourth ward was made a part of the west sewerage district. At that time the territory of this district represented almost an uniform valuation, as it was comparatively unimproved and sparsely settled, and the system inaugurated was expected to work no great injustice to either of the wards in this district; but in the course of time, the fourth ward was thickly settled, and the value of its taxable property largely enhanced, in consequence of costly improvements, made at the sole expense of the property owners, so that it has outgrown its former proportions, and at the present time represents a valuation equal to that of all the other wards of said district combined, while its representation has been diminished by the creation of new wards, so that it has at present, only three out of eighteen votes in the administration of the affairs of the district.

Of course with such a minority representation, the fourth ward

cannot secure its proper share of the sewerage fund for building sewers, and has to submit to the great bulk of sewers being built in other portions of said district, notwithstanding the fact that it pays fifty per cent. of the entire sewerage tax collected in the district. In consequence of all this, the fourth ward has been compelled to pay into the sewerage fund of said district, a sewerage tax of \$247,502.66, while the sum actually expended for sewers, and *for the benefit* of the fourth ward amounts only to \$115,100.23, showing an over taxation of the property of said ward to date of \$132,402.43; and if the present sewerage system remains unchanged, by the time it is completed, the fourth ward will have paid in sewerage taxes, the enormous sum of \$478,944.43, *over and above the cost of its own sewers, and their maintenance.*

The second ward stands relatively in the same position as the fourth, although its assessed valuation not being as large as that of the latter, of course the over taxation would not be as great. For a better illustration I beg to refer to the annexed statement, which is made up from the official records of the city of Milwaukee, and cannot be refuted. It shows conclusively that the present sewerage system works a great damage to the taxable property of the fourth ward, and that its change as proposed by the bill before the senate, is demanded by all true principles of equal taxation, justice and equity.

The injudicious working of the present system has been admitted by the common council of the city of Milwaukee, as a reference to its official proceedings will show. At a meeting of said council on the 4th day of February, 1878, a bill for the division of said sewerage district, of exactly the same nature as the bill now before the senate, was approved by a vote of 23 to 7, after it had been considered and approved by the west side sewerage committee, and the board of public works; this bill was sent to the Milwaukee Senatorial Delegation, but it was not acted upon, notwithstanding the almost unanimous approval of the common council.

I am not disposed to deprecate the fact, that the passage of this bill will compel the other wards to build their own sewers, out of their own sewerage assessments, in the same way as the second and fourth, and most of the other wards in the other districts have heretofore done, and in future will have to do; but this will work no hardship to said wards, as they have the remedy at hand by retrenching their taxes, and by taking the matter of sewer building out of the hands of contractors, and building no new sewers, until their district can afford to pay for them. I speak with no feeling of local jealousy or selfishness, and I trust that no such feeling may influence the majority of the Milwaukee senators to vote against what, in my opinion, is obviously to be for the best interests of the city of Milwaukee.

Let the honorable senators remember that within the said city, there is no other ward that is compelled, like the fourth and second wards, to "pour its treasures into the laps of its neighbors," and to suffer from an injudicious system in such a degree as I have above set forth; and that simple justice requires that said wards

be relieved by the passage of this bill. I most earnestly recommend the same to the kindest consideration of the senators.

All of which is respectfully submitted.

EDWIN HYDE,  
*Milwaukee Senatorial Delegation.*

STATEMENT showing amount of sewers built in the different wards of the West Sewerage District, the cost of same, and amount of sewerage taxes levied in said wards from 1870 to 1880.

WARDS.	Amount of sewer- age taxes levied.	Total cost of sewers and catch basins paid out of sew- erage fund.	Total miles of streets as laid out and opened in W. S. D.	Total miles of sew- ers built.	Miles of sewers to be built.	Excess of benefits over taxes levied.	Excess of taxes over cost of sew- ers.
Second.....	118,546 17	117,605 26	19 3-5	133278	55172	4,059 09	.....
Fourth.....	247,502 66	193,009 23	26	171492	83788	.....	54,493 43
Sixth.....	61,223 92	82,536 35	15 1-9	92960	52885	21,312 43	.....
Ninth.....	33,899 44	37,274 13	21 3-5	6678	152490	3,874 19	.....
Tenth.....	29,501 76	23,724 24	36 3-4	32865	831105	.....	5,777 52
Thirteenth....	14,361 92	42,614 80	24 3-4	24838	214402	28,252 88	.....

Total loss to fourth ward under present system:

Excess of tax levy over cost of work on sewers to date .....	\$54,493 43
Contribution of fourth ward to extra work in balance of dis- trict.....	4,709 00
2,200 feet of Washington avenue tunnel assessed to the fourth ward in 1879, which tunnel is built through the fourth ward, but is used exclusively for draining northwestern wards, as not a drop of water goes into it from the fourth ward .....	29,200 00
2,600 feet of same tunnel built through second ward for the same purpose, half of which is assessed to the fourth ward .	20,000 00
8,709 feet of 6-foot sewers on Fifteenth street, built to drain north of north line of fourth ward exclusively .....	24,000 00

Amount of over payment up to date to fourth ward .....	\$132,402 43
Sewers to be built and to be paid for by fourth ward in case the sewer work is completed under the present system, over and above the cost of her own sewers: 37 miles, average cost, \$9,366 per mile.....	846,542 00

Total amount of over payment by the fourth ward, if said  
sewerage work is completed under the present system.. \$478,944 43

The committee on Enrolled Bills have examined and find correctly enrolled,

No. 114, S.,

A bill to authorize Thomas B. Scott, his associates and assigns, to build a dam or dams on Prairie river, in Lincoln county, Wisconsin,

No. 55, S.,

A bill to amend the articles of association of the Chicago, Milwaukee & St. Paul Railway Company,

No. 46, S.,

A bill relating to the payment of fees upon settlement of estates of deceased persons in the county of Milwaukee, and amendatory of section 2483 of the revised statutes of 1878.

GEO. E. SUTHERLAND,  
*Chairman.*

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### REPORTS OF SELECT COMMITTEES.

The special committee to whom was referred

No. 314, A.,

A bill to amend chapter 67 of the laws of Wisconsin for 1879, relating to justices of the peace in the city of Watertown, and amendatory of an act entitled an act to incorporate the city of Watertown, and the several acts amendatory thereof,

Have had the same under consideration, and have instructed me to report the same back with the recommendation that it be concurred in.

J. B. BENNETT,  
*Committee.*

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The select committee consisting of the senators from Milwaukee county, to which was referred

No. 274, A.,

A bill to amend chapter 318, private and local laws of 1855, as amended by chapter 189 of the general laws of 1865, relating to the house of correction of Milwaukee county,

Have had the same under consideration, and respectfully report it back with the recommendation that it be concurred in.

GEO. H. PAUL,  
EDWIN HYDE,  
I. W. VAN SCHAICK,  
*Committee.*

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The select committee consisting of the senators from Milwaukee county, to which was referred

No. 201, A.,

A bill relating to the revised statutes and amending the same,

Have had the same under consideration, and respectfully report it back with the recommendation that it be concurred in.

GEORGE H. PAUL,  
I. W. VAN SCHAICK,  
EDWIN HYDE,

*Committee.*

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### RESOLUTIONS CONSIDERED.

Jt. Res. No. 9, S.,  
Resolution amending sections 4, 5, 11 and 21, article 4 of the constitution of the state of Wisconsin,  
Was laid over until to-morrow.  
Objection being made to  
Jt. Res. No. 31, A.,  
Granting leave to introduce a bill for certain purposes,  
It was declared out of order, and ordered returned to assembly.

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### BILLS READY FOR A THIRD READING.

No. 6, S.,  
A bill for the prevention of cruelty to minors,  
No. 192, S.,  
A bill to amend chapter 181 of the private and local laws of 1868, entitled an act to incorporate the Wisconsin River Improvement Company, and to amend chapter 298 of the laws of 1876, amendatory thereof,  
No. 211, S.,  
A bill to amend chapter 2 of chapter 12 of the private and local laws of 1858, entitled an act to incorporate the city of Ripon,  
No. 262, S.,  
A bill to regulate the disbursement of public money in certain cases, and prescribing penalties for misappropriation thereof,  
No. 264, S.,  
A bill to provide for the transfer of insane persons from jails and poor houses to state and county asylums,  
Were severally read a third time and passed.  
No. 161, S.,  
A bill to provide for the better accommodation of the incurable insane of Waupaca county,  
Was read a third time and passed, and the clerk was instructed to correct the title to correspond with the body of the bill.  
No. 263, S.,  
A bill to authorize the secretary of state to subscribe for biographical sketches of members of the constitutional conventions of 1846 and 1847-8,  
Was read a third time and passed.  
The ayes and noes being required, it was decided in the affirmative: ayes 22; noes 1.

The vote was as follows:

*Ayes* — Senators Bennett, Blackstone, Burrows, Carter, Dering, Fifield, Griffin, Grimmer, Haben, Houghton, Kellogg, Kelly, McFetridge, McGrew, Morgan, Price, Ryland, Scott, Sutherland, Thomas, Van Schaick and Weaver — 22.

*Noes* — Senator Woodman — 1.

No. 31, A.,

A bill to provide for the individual liability of stockholders in banks and banking associations,

No. 209, A.,

A bill to amend the charter of the city of Waupaca,

Were severally read a third time and concurred in.

No. 57, A.,

A bill to provide for the publication of proceedings of county boards of supervisors,

Was read a third time and concurred in.

The ayes and noes being demanded, it was decided in the affirmative: ayes, 16; noes, 14; not voting 3.

The vote was as follows:

*Ayes* — Senators Bennett, Blackstone, Burrows, Dering, Fifield, Griffin, Grimmer, Hyde, Kellogg, Kelly, McFetridge, Paul, Rankin, Scott, Smith and Van Schaick — 16.

*Noes* — Senators Anderson, Carter, Haben, Houghton, McGrew, Morgan, Price, Richardson, Ryland, Sutherland, Thomas, Van Steenwyk, Weaver and Woodman — 14.

*Not voting* — Senators Chipman, Quarles and Sacket — 3.

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### BILLS ON THEIR THIRD READING.

No. 60, A.,

A bill relating to and amendatory of section 3326 of chapter 143, revised statutes of 1878, entitled of liens,

No. 69, A.,

A bill to legalize the acts of W. H. Gibson, a justice of the peace in Trempealeau county,

No. 80, A.,

A bill to amend section 914 of the revised statutes, relating to taxes levied by village boards,

No. 101, A.,

A bill in relation to a ferry across the Mississippi river, and amendatory of chapter 216 of the private and local laws of 1871, entitled an act to authorize Henry Gardner and Albert H. Wareham to keep and maintain a ferry across the Mississippi river at a point where the line of Crawford and Vernon counties strikes said river.

No. 144, A.,

A bill to amend section 2623 of chapter 119 of the revised statutes of 1878, entitled of the place of trial of civil actions,

No. 145, A.,

A bill to amend section 3331 of chapter 143 of the revised statutes, entitled liens upon logs and lumber,

No. 172, A.,

A bill to amend section 14 of chapter 103, laws of 1879, relating to tax deeds in Price county,

No. 179, A.,

A bill to amend sections 2489, 2490 and 2498 of the revised statutes of 1878, relative to the municipal court of the city and town of Ripon,

No. 181, A.,

A bill to amend section 3725 of chapter 158 of the revised statutes of 1878, relating to proceedings in garnishment,

No. 218, A.,

A bill to authorize the granting of state certificates to graduates of colleges and universities,

No. 255, A.,

A bill to amend chapter 147 of the laws of 1879, entitled an act to authorize James and William Johnson to erect, maintain and keep up a dam across Willow river, in St. Croix county, Wisconsin,

No. 345, A.,

A bill relating to attachments, and amendatory of section 2731 of the revised statutes,

No. 397, A.,

A bill to amend an act entitled an act to amend, revise and consolidate the city charter of the city of Fond du Lac,

Were severally ordered to a third reading.

No. 395, A.,

A bill relating to the appropriation of money to the state board of immigration, and amendatory of section 7, chapter 176, laws of 1879,

Senator Sutherland offered the following amendment:

Amend by striking out the words "three thousand" where they occur in the third line of the printed bill, and insert in lieu thereof the words "twenty-five hundred."

The amendment was lost, and the bill was ordered to a third reading.

The amendments to

No. 121, A.,

A bill to amend section 3368 of chapter 145 of the revised statutes of 1878, in relation to appeals from justice courts,

No. 160, A.,

A bill to provide for service of process upon transportation companies, and the appointment of an attorney therefor within this state,

Were adopted, and the bills were severally ordered to a third reading.

No. 58, A.,

A bill to amend section 1863 of the revised statutes, and to authorize the laying of street railways or tramways in villages and towns,

No. 120, A.,

A bill to amend section 351 of chapter 22 of the revised statutes of 1878, in relation to the distribution of public documents,

No. 199, A.,

A bill to amend section 4115 of the revised statutes of 1878, relating to depositions taken without the state,

No. 229, A.,

A bill to amend section 3774 of chapter 161 of the revised statutes of 1878, relating to fees of justices,

No. 270, A.,

A bill to amend sections 4744 and 4809 of the revised statutes, relating to a change of venue in criminal cases,

No. 282, A.,

A bill to amend section 4565 of chapter 185 of the revised statutes of 1878, entitled of offenses against public policy,

No. 283, A.,

A bill to amend section 4772 of chapter 194 of the revised statutes, entitled fines, to whom paid,

No. 343, A.,

A bill to amend sections 1785 and 1786 of chapter 86, revised statutes, of the organization of incorporations,

No. 361, A.,

A bill relating to the compensation of county judges in certain cases,

Were severally indefinitely postponed.

No. 217, A.,

A bill to amend sub-chapter 8 of chapter 184 of the laws of 1874, Was indefinitely postponed.

The ayes and noes being demanded, it was decided in the affirmative: ayes, 15; noes, 7; not voting, 11.

The vote was as follows:

*Ayes* — Senators Blackstone, Burrows, Griffin, Grimmer, Haben, Houghton, Kellogg, Kelly, Paul, Rankin, Sacket, Smith, Thomas, Van Schaick and Weaver — 15.

*Noes* — Senators Dering, Fifield, Hyde, Price, Ryland, Scott and Woodman — 7.

*Not voting* — Senators Anderson, Bennett, Carter, Chipman, McFetridge, McGrew, Morgan, Quarles, Richardson, Sutherland and Van Steenwyk — 11.

No. 102, A.,

A bill to authorize the commissioners of public lands to loan a portion of the trust funds to the city of Stevens Point, Portage county, to enable said city to pay off and cancel a portion of its bonded indebtedness,

Was indefinitely postponed.

The ayes and noes being demanded, it was decided in the affirmative: ayes 24; noes 2; not voting 7.

The vote was as follows:

*Ayes* — Senators Anderson, Bennett, Blackstone, Burrows, Dering, Griffin, Grimmer, Haben, Houghton, Hyde, Kelly, McFetridge, McGrew, Morgan, Price, Quarles, Richardson, Ryland, Smith, Sutherland, Thomas, Van Steenwyk, Weaver and Woodman — 24.

*Noes* — Senators Fifield and Kellogg — 2.

*Not voting* — Senators Carter, Chipman, Paul, Rankin, Sacket, Scott and Van Schaick — 7.

No. 104, A.,

A bill to limit the number of terms to which a person may be eligible to the office of county treasurer,

Was recommitted to the Judiciary committee.

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## BILLS ON THEIR ENGROSSMENT AND THIRD READING.

No. 190, S.,

A bill to authorize Oscar F. Knapp to keep and maintain a ferry across the St. Croix river between the town of Osceola Mills, Wisconsin, and Minnesota,

No. 267, S.,

A bill to provide for the settlement of accounts against the state for care of insane persons.

Were severally ordered engrossed and read a third time.

The amendments to

No. 181, S.,

A bill to amend chapter 231 of the laws of 1876, entitled an act to amend and re-enact as amended, chapter 333 of the laws of 1875, entitled an act to amend chapter 16 of the private and local laws of 1872, entitled an act to incorporate the city of Eau Claire, so as to authorize the construction of water works by and for said city,

Were adopted, and the bill was ordered engrossed and read a third time.

The amendments to

No. 265, S.,

A bill to relieve a certain counter-claim of Simeon Mills, from the effect of the statute of limitation,

Were adopted, and the bill was ordered engrossed and read a third time.

The ayes and noes being demanded, it was decided in the affirmative: ayes, 14; noes, 13; not voting, 6.

The vote was as follows:

*Ayes* — Senators Anderson, Burrows, Fifield, Kellogg, Kelly, Paul, Quarles, Rankin, Sacket, Scott, Smith, Sutherland, Thomas and Van Schaick — 14.

*Noes* — Senators Bennett, Carter, Dering, Griffin, Grimmer, Haben, McGrew, Morgan, Richardson, Ryland, Van Steenwyk, Weaver and Woodman — 13.

*Not voting* — Senators Blackstone, Chipman, Houghton, Hyde, McFetridge and Price — 6.

The amendments to

No. 260, S.,

A bill relating to a military road, so called, in the state of Wisconsin, and repealing the act exempting the same,

Were adopted, and the bill was ordered engrossed and read a

third time, and the clerk was instructed to correct the title to correspond with the body of the bill.

No. 93, S.,

A bill to appropriate to the Wisconsin State Hospital for the Insane a certain sum of money to pay indebtedness,

No. 248, S.,

A bill relating to the competency of witnesses in certain cases,  
Were severally indefinitely postponed.

No. 266, S.,

A bill to provide for the more systematic and efficient management of hospitals for the insane,

Was recommitted to the committee on Charitable and Penal Institutions.

On motion of Senator Rankin,

No. 54, A.,

Was recalled from the Judiciary committee, and recommitted to the committee on Charitable and Penal Institutions.

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On motion of Senator Rankin,

The senate took a recess until 8 o'clock this evening.

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8 o'CLOCK P. M.

The senate met.

President *pro tem.* Scott in the chair.

The roll was called and the following senators answered to their names:

Senators Anderson, Bennett, Blackstone, Burrows, Carter, Dering, Fifield, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, Kelly, McFetridge, McGrew, Morgan, Paul, Price, Quarles, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Sutherland, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman.

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### REPORTS OF COMMITTEES.

The committee on Judiciary, to whom was referred

No. 4, A.,

A bill relating to proceedings to enforce liens on logs in certain cases,

No. 37, A.,

A bill to amend section 1014 of the revised statutes, relating to statistics.

No. 249, A.,

A bill to legalize the action, therein set forth, of the village board of the village of Wonewoc, in the county of Juneau,

No. 302, A.,

A bill relating to crimes and the punishment thereof, and to amend sections 4490 and 4494 of the revised statutes,

No. 280, A.,

A bill to regulate the service of process in garnishee proceedings,

No. 248, A.,

A bill authorizing justices of the peace, elected in the town of Lisbon, Juneau county, to keep an office and to perform their duties in any part of the village of New Lisbon, Juneau county,

No. 263, A.,

A bill to legalize the action of the board of supervisors of Juneau county, in the division of the town of Kingston, in said county,

No. 394, A.,

A bill to authorize the city of Boscobel to invest its surplus bridge fund,

Have had the same under consideration, and instruct me to report the same back with the recommendation that they be concurred in.

No. 139, A.,

A bill to amend section 2525 of chapter 116 of the revised statutes, entitled of jurors,

No. 103, S.,

A bill to reorganize the third, fourth and tenth judicial circuits, and to create the thirteenth judicial circuit.

No. 247, S.,

A bill relating to jurisdiction of justices of the peace in civil actions, and to amend sections 3568, 3569, 3616 and 3617 of the revised statutes of 1878,

No. 71, A.,

A bill to legalize assignments of tax certificates made by any county in this state to any town therein, and to validate the deeds given to the assignees of such town by virtue of such certificates,

No. 104, A.,

A bill to limit the number of terms to which a person may be eligible to the office of county treasurer,

No. 171, A.,

A bill relating to the House of Correction of Milwaukee county,

No. 289, A.,

A bill to amend sections 2561 and 3775 of the revised statutes, in relation to fees of jurors in justice courts,

With the recommendation that they be indefinitely postponed.

Senators Quarles and Sutherland dissenting as to 104, A.

No. 171, S.,

A bill to fix a salary for sheriffs.

No. 249, S.,

A bill to amend section 1570 of chapter 67 of the revised statutes of 1878, relating to peddlers,

With amendments, and recommend that they pass when so amended.

No. 94, A.,

A bill providing for the disposal of redemption money remaining in the hands of county clerks more than six years,

No. 244, A.,

A bill to prevent the adulteration of food and medicine, and to provide for analyzing the same,

With amendments, and recommend that they be concurred in when so amended.

H. E. HOUGHTON,  
*Chairman.*

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The committee on Incorporations, to whom was referred

No. 250, A.,

A bill to amend chapter 48 of the laws of Wisconsin for the year 1875, entitled an act to authorize the parties therein named, their heirs or assigns, to build and maintain certain booms upon the river and lake St. Croix,

No. 195, A.,

A bill to improve the Little Elk river in the county of Price, and to grant to Mathew Wadleigh, R. M. Mooer and A. D. Lunt, their associates and assigns, certain powers and privileges therein named,

Have had the same under consideration, and report the same back with the recommendation that they be concurred in.

No. 286, A.,

A bill to authorize Abel Neff to build a dam on Prairie river,

No. 370, A.,

A bill to prevent the manufacturers of lumber, lath or shingles from throwing slabs, edgings, trimmings of lumber or shingles, or saw dust, into the Wisconsin river, or any of its tributaries,

With amendments, and recommend that they be concurred in when so amended.

GEO. GRIMMER,  
*Chairman.*

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The committee on Enrolled Bills have examined and find correctly enrolled:

No. 29, S.,

A bill to amend chapter 34 of the revised statutes, entitled of the militia, and the act amendatory thereof, and to provide for the greater efficiency of the Wisconsin National Guard,

No. 151, S.,

A bill to confer certain police powers upon agents of the Wisconsin Humane Society,

No. 189, S.,

A bill to grant to the North Wisconsin Railway Company the optional right to grade forty miles of its railway during the year 1880, in lieu of completing twenty miles thereof during said year, and to define its rights and duties in a contingency therein named,

No. 221, S.,

A bill to amend section 731 of the revised statutes, relating to sheriffs' fees,

No. 111, S.,

A bill to authorize A. B. McDonald, his associates and assigns, to build and maintain a dam across, and otherwise improve, Pine creek, in Price county, Wisconsin,

No. 228, S.,

A bill to amend chapter 407 of the private and local laws of 1868, entitled an act to enable the city of Kenosha to readjust and fund its indebtedness,

No. 226, S.,

A bill relating to fees and costs, and to amend the revised statutes of 1878,

No. 196, S.,

A bill to improve Hay creek, a branch of the Eau Claire river, in the county of Clark, for driving logs out of said creek,

No. 240, S.,

A bill to amend chapter 89, laws of 1877, entitled an act to incorporate the city of Chilton,

No. 149, S.,

A bill to preserve and promote the public health in the city of Milwaukee,

No. 180, S.,

A bill to authorize Delos R. Moon, his associates or assigns, to improve Otter creek, a tributary of Wolf river, in the counties of Clark and Chippewa.

GEO. E. SUTHERLAND,  
*Chairman.*

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The committee on Federal Relations, to whom was referred

M. C. No. 7, A.,

Memorial to congress relating to school lands,

M. C. No. 17, A.,

Memorial to congress in relation to the St. Croix land grant,

Have had the same under consideration, and have instructed me to report the same back with the recommendation that they be concurred in.

M. C. No. 9, S.,

For an appropriation to pay awards for flowage caused by the United States in the construction and maintenance of the Fox and Wisconsin Improvement,

With the recommendation that it do pass.

M. GRIFFIN,  
*Chairman.*

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The committee on Charitable and Penal Institutions, to whom was referred

No. 119, S.,

A bill to provide for the transfer of the Milwaukee County Insane Asylum to the state,

No. 132, S.,

A bill to provide for the appointment of trustees for the control of the public charitable and reformatory institutions of the state,

No. 78, S.,

A bill to provide for discharged convicts, and the appointment of a state agent for that purpose,

Have had the same under consideration, and instructed me to report them back with the recommendation that they be indefinitely postponed.

H. RICHARDSON,  
*Chairman.*

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The committee on Charitable and Penal Institutions, to whom was referred

No. 79, S.,

A bill to provide for the education of the deaf and dumb by the articulate or phonological method,

Have had the same under consideration, and instructed me to

### REPORT.

That the passage of the bill is urged by its friends upon the ground that it provides for the establishment of a better system of teaching mutes than that now generally practiced in this country. But as to the relative merits of the articulate and the sign language for the deaf and dumb, your committee do not feel called upon to decide. Yet there are reasons to doubt the superiority of the former. The public exhibition by the children from the Milwaukee school did not sufficiently demonstrate its superiority to justify the state's establishing a school especially to teach by that method.

Of six children selected from a school of over twenty, only one, and that one who was born with the faculties of speech and hearing, gave any greater evidence of ever being able to communicate with others than those educated in the articulate language of mutes.

There are other evidences to show that a large majority of the deaf and dumb are incapable of receiving instruction by this method. Mr. Edward M. Gallaudet, president of the Columbia Institution for the Deaf and Dumb, in his report for June, 1879, says:

"That after a careful examination of between forty and fifty institutions in Europe, his conclusion was that not more than thirty per cent. of the whole number of mutes could be expected to attain sufficient proficiency in speech to justify the time and expense necessarily involved in their instruction."

If this estimate is correct, and there is no evidence to the contrary, it would appear unwise for the state to adopt in any of its schools, to the exclusion of the sign language, a system which yields so small results. The most that could be justified, would

be the instruction of classes by that method in the state institutions, in connection with the sign language.

That this may be done, is demonstrated by a class now being taught at Delavan by the articulate method, with as much evidence of success as shown by the children of the Milwaukee school.

They, therefore, respectfully recommend the indefinite postponement of the bill.

H. RICHARDSON,  
*Chairman.*

Senator Hyde dissenting.

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Minority report on bill No. 79, S.:

It seems only just to the Wisconsin Phonological Institute and the system of instruction which it represents, that something should be said with reference to several of the statements contained in the majority report, and the general conclusion arrived at by the committee.

It is needless in this place to go into any extended argument on the practicability of the articulate method of instructing deaf-mutes.

The physiological principles on which it rests, its soundness from a pedagogic point of view, and the ample and reliable experience by which all its claims have been confirmed, place the method beyond the necessity of argument, and ought at least to have led the majority of the committee to be more guarded in disposing of so important a matter. The opinions of a few persons possessing but a limited acquaintance with the scientific grounds of this new method, should not be deemed sufficient to outweigh the authority of some of the most distinguished teachers of deaf mutes. It would be easy to quote from treatises and reports on this subject, showing how fully the various scientific questions have been discussed, and how satisfactory have been the results obtained wherever the articulate method has been fully tested.

It does not seem quite right to quote Dr. Gallaudet as an opponent of this method. While he has not yet announced himself as willing to confine instruction solely to lip reading and speech, he has again and again spoken in the strongest language of their advantages, and has insisted that the articulate method should hold a prominent place in the instruction of deaf mutes. Percentages are not always to be relied upon, and nowhere are they more fallacious than when applied to educational problems. The degree of excellence which a school of any kind can be made to show, depends more upon the quality of the teaching done in it than all other causes; and when it is remembered how great are the exactions made upon the instructor who undertakes to

teach deaf-mutes to use spoken language and read it from the lips of another, and how limited are the means for obtaining this ability, it is not surprising that phonological institutions are not able to produce figures as large as schools in which old established methods are pursued.

But thirty per cent. is altogether too low an estimate for the number of pupils who receive permanent benefit from articulate instruction. Twice that estimate would be nearer the truth, if schools where more than experimental efforts have been made, were counted. It is not denied that a longer time is needed to educate deaf-mutes to speak than to communicate by means of signs, and no doubt the expense is larger in the former case. But the question is, Which is most valuable, which will afford the state the largest return for its outlay? If it can be proved that a deaf-mute receives a more complete mental development, and is better fitted to hold communication with his fellow men, when trained to use oral speech, is it worth while to object to it on the ground that it costs a little more labor and money? So far as the exhibition made by the pupils of the Milwaukee school before the committee is concerned, it must not be forgotten how unfavorable were the conditions under which it was made.

Of the twenty pupils in the school, no one has been longer under instruction than two years, and some but a few months. The teaching force has been insufficient to do the work required. The six pupils brought to Madison were presented not so much for the purpose of showing what had been accomplished, as of exemplifying the nature and probabilities of the method. If all the facts are taken into consideration, the exhibition is deserving of more praise than blame. It is to be noted that when these pupils entered the school, their minds were almost a perfect blank. They had to begin with the first rudiments of knowledge. The average time they had been under training was but a few months. And yet all of them could articulate to some extent.

The fact that even one of them showed proficiency, as the report of the majority states, was something to be marveled at. It is but just to state, also, that these pupils had been educated in a school where all methods but the articulate are rigorously excluded. Under this arrangement, the pupil progresses slowly at first, but ultimately obtains quite as large a range of knowledge in addition to the special acquirement of conversing with men, in the ordinary mode of vocal language, as if trained by the sign method. In the way of answer to what the majority of the committee say, respecting this exhibition, it is worth while calling attention to the opinion of a committee of the legislature who visited the phonological institute a year ago. That committee expressed the highest satisfaction with what the committee saw and learned at the Milwaukee school, and their confidence in the method of instruction, which was examined under conditions which no exhibition of the character of that given three weeks ago can afford.

In this connection, it seems proper to state the objection, which experience has shown to be well founded, to the teaching of the sign and articulate methods in the same school. So much advancement has been made with the articulate method, that no deaf-mute institution now excludes it from the course of instruction. Even those who dispute its superior advantages, allow the practicability of phonological instruction in some cases of deaf-mutism. This is worth noting, because only a few years ago, the entire system was denounced as mere charlatany and allowed no place in the institutions devoted to the sign method. But, although now recognized as above stated, it is only followed in a perfunctionary way. And yet it is from schools of this character, that all the arguments against the articulate method are drawn. The fact is, that it is impossible to maintain the two methods simultaneously in the same institution and the real question is, which of the two is entitled to recognition as the best mode of instruction?

The adherents of the articulate method insist that it is immeasurably the best, alike for the cultivation of the mind and character of the individual, and for giving society the fullest benefit of his training. If this be so, it seems a waste of time and of public money to use a method inferior in these respects. The discrimination made as to the applicability of the sign method is not well founded. Unless where imbecility exists, any deaf mute can be taught lip-reading so as to understand the speech of other persons, and there are few who cannot acquire sufficient power of speech to make themselves understood. It is unfair, therefore, to condemn articulate instruction, upon the partial experiments made with it, in connection with the old and thoroughly established method of sign language. If it can accomplish even what those opposed to it concede, would it not be wise for the state to organize a school where it would be exclusively followed? In this way comparisons would be made, which, in any event, would prove advantageous to the interests of the unfortunate beings concerned.

There would be no rashness in the trial, and the state would be lending its aid to settle a question which appeals to the tenderest sympathies, and concerns the public well being of the community. The distinction above mentioned between lip-reading and the articulation of speech should not be overlooked. The failure to acquire facility and distinctness of utterance does not interfere with the ability to understand language from the lips of others. The latter attainment, therefore, is of value for its own sake. But the one can only be taught in connection with the other, and as already stated the number is but small who, under favorable conditions, do not succeed in learning both well enough to bring them into nearer and more useful relations to their kind than can ever be possible by means of signs.

In discussing the comparative merits of the sign and articulate methods, it should be clearly understood that the great desideratum of the articulate method, at the present time, is properly trained teachers, and until these can be secured, it is in the highest degree unjust to condemn the method on account of the results obtained from imperfect and half-hearted instruction. Nearly all the statements respecting the limitations and impracticability of the articulate method come from instructors who have only partially learned the philosophy and applications of the method, and who have never got beyond using it with selected cases of deaf-mutism, and as an adjunct to the sign method of instruction. One of the main objects of the Milwaukee institution has been to furnish ample opportunity for educating teachers who would be warmly imbued with the articulate method, and thoroughly trained to apply it in practical work.

But we are not confined to argument on the abstract merits of the articulate method. It has been removed from the region of debate and is no longer a matter of experiment. In all parts of Europe, schools conducted exclusively upon the articulate method have been in existence for a considerable number of years. In Prussia alone there are about thirty institutions devoted to teaching deaf-mutes vocal utterance. Normal schools, to supply the constantly increasing demand for teachers especially fitted for this work, are also maintained. The example of this country is of itself a sufficient answer to all that is said of the impracticability of the method.

In no country in the world are educational institutions more ably and carefully administered; in no country in the world are there so large a body of thoroughly trained professional teachers, competent to investigate and pass judgment upon questions of this character. And the enlightened public sentiment of that country is strongly in favor of the phonological method, to the exclusion of all others. A society has recently been organized in England to provide for educating teachers in this method as a means of extending it throughout Great Britain. And there is hardly a state in Europe without schools from which the sign method has not been banished to make way for the newer and better mode of instruction.

In our own country also a beginning has been made, and the results have been such as to remove from every unprejudiced mind all doubt of the worth and practicability of the system. It will be sufficient to refer to the institution which has been in successful operation in New York city for thirteen years. It has now an attendance of one hundred and thirty-three pupils, and is constantly growing in the confidence of the people. This school has turned out a number of graduates who are following careers of usefulness and responsibility in the city; some of them are employed in duties which require the constant use of spoken language.

The state of New York is so fully satisfied with the usefulness of this school that it pays three hundred dollars per annum for every pupil educated within its walls. Such instances as the above dispose effectually of much that is set forth in the majority report as telling against the articulate method. It is not very likely that governments would persist in appropriating money for useless efforts in this direction. Institutions of this kind are subject to an amount of inspection and watchful control in Europe, that is unknown in the United States, and would hardly be multiplied and cared for so liberally without yielding benefits of a direct and tangible character.

But the parents of the children afflicted with the want of speech and hearing are the best judges of the comparative value of the old and new methods.

The anxiety of a father and mother to be able to hold communication with a deaf-mute child can be understood by all. They would not be apt to put up with useless experiments in a matter so dear to them. And when we find parents, with some of whom it is a great hardship, paying from three to ten dollars, and some as high as twenty dollars, per month for the education of their children in the Milwaukee school, while the state institution at Delavan opens its doors to receive them without cost, surely it must be because they are receiving something which, in their opinion, justifies the expenditure. The utmost satisfaction is expressed by the patrons of the Milwaukee institution, and this satisfaction grows out of the experience they have had of a constantly increasing ability on the part of their children to hold vocal communication with them. Proof of this kind is unanswerable.

The opposition to the articulate method of instructing deaf-mutes is probably due to other causes than such as arise from the scientific principles involved. The objections most generally heard against it are usually furnished by persons professionally interested in the work of deaf-mute education by the sign method, and, therefore, it may be reasonably supposed, more or less affected by the bias incident to education and long established habit. But outside of this class the opposition to teaching the deaf and dumb to speak springs from causes still less easy to remove. To a person who has paid no attention to the matter, nothing seems more impossible.

We can go back to a period when this unfortunate class of beings were regarded as under the ban of the Creator. It was not only thought impossible, but wrong, to attempt to educate them into useful fellowship with men. The first efforts to teach them the earliest form of sign language were distrusted quite as much as are the claims put forward by the advocates of articulate instruction. It will be found that with most people there is a strong distrust of the deaf-mute possessing such a share of intelligence as will enable him to take his place as a useful member of

society. When to this feeling is added a want of knowledge in the organs concerned in producing speech, it seems like asking belief for a miracle to claim that a deaf and dumb child can be taught to communicate orally with others.

Science has yet much to do in eradicating the false notions of men concerning defects of body and mind produced by purely natural causes, and capable of being remedied, in a greater or less degree, by educational agencies founded on nature and matured through experience. In place of anything wonderful in the lip reading and vocalization of a deaf-mute, we find only the application of certain pedagogic principles coupled with an accurate acquaintance with the vocal organs and the method in which their functions are exercised. When this can be brought home to the minds of men it will be easy to get them to co-operate in conferring the beneficent gift of vocal communication upon those who have neither ear to hear nor voice to speak.

The objection of useless expenditure is one easily made, but cannot be sustained in this case. A petition signed by 200 of the leading citizens of Milwaukee, not one of whom but is interested in an economical administration of all our public institutions, has been presented to this body in favor of the establishment of a school for the education of deaf-mutes by the articulate method. This is not a petition signed at random, but every name has been affixed with a full knowledge of what was being asked.

The state undertakes the education of this class from mixed motives of that benevolence which is a part of our modern civilization, and of self protection. And the Wisconsin Phonological Institute was recognized in this respect, and favorably spoken of by his excellency the governor in his last message. It is spending money for a useful and noble purpose, and the first question is, how this can most fully be realized.

It may take a year or two more of time, a few thousands more of money to teach the articulate method, but if the children whom the state makes its wards are to be returned better educated, more fully moralized, better fitted to become incorporated into the body politic, and to discharge more fully their duties as citizens, is it not poor economy to refuse to adopt a system of instruction which shall guarantee all these ends more surely, more amply than can be reached by existing methods?

Who will say that no more progress is possible in this department of education? A wise conservatism is always best in all matters pertaining to human well-being; but when a better plan has been demonstrated, it is not the part of wisdom to reject it. An enlightened policy, a regard for what is truest and best, demands that it be adopted and made to yield whatever benefit it may contain.

It is only a question of time as to the adoption of the articulate method of education for deaf-mutes, and every day that

it is postponed the longer we are withholding a great boon from those who need all the help and kindness we can give them.

All of which is respectfully submitted,

EDWIN HYDE.

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The committee on Roads and Bridges, to whom was referred  
No. 222, A.,

A bill to vacate part of the Milwaukee and Waukesha plank road in Milwaukee county,

Have had the same under consideration, and have instructed me to report the same back with the recommendation that it be concurred in.

J. B. BENNETT,  
*Chairman.*

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#### REPORTS OF SPECIAL COMMITTEES.

The committee consisting of the Lake Shore Delegations —  
Lakes Michigan and Superior — to whom was referred

No. 2, A.,

A bill to amend section 1 of chapter 192, laws of 1879, entitled an act to regulate the sizes of meshes of nets used in the waters of Lake Michigan, and the waters of Green Bay, and the waters of Lake Superior, and for the better enforcement of the fish and game laws of the state, and to repeal section 4563 of the revised statutes,

Have had the same under consideration, and report the same back with the unanimous recommendation that it be indefinitely postponed.

No. 68, S.,

A bill to amend sections 1 and 5 of chapter 192 of the laws of 1879, entitled an act to regulate the size of meshes of nets used in the waters of Lake Michigan and the waters of Green Bay and the waters of Lake Superior, and for the better enforcement of the fish and game laws of the state, and to repeal section 4563 of the revised statutes,

With the recommendation that the same be indefinitely postponed.

Senator Fifield dissenting.

No. 191, S.,

A bill to repeal sections 5 and 6 of chapter 192 of the general laws of 1879, in relation to game,

With recommendation that it do pass.

SAM. S. FIFIELD,  
JOSEPH RANKIN,  
GEO. GRIMMER,  
I. W. VAN SCHAIK,  
JOSEPH V. QUARLES,  
*Committee.*

## RESOLUTIONS INTRODUCED.

By Senator McFetridge:

Res. No. 29, S.,

*Resolved*, That the committee on Railroads be and the same are hereby requested to report senate bill No. 252, "a bill to define and fix the liabilities of persons or corporations owning or running sleeping cars within this state," at the morning session of March 10th, with or without recommendation.

By Senator Ryland:

Jt. Res. No. 19, S.,

*Resolved by the senate, the assembly concurring*, That the governor be requested to return to the senate No. 46, S., for correction.  
Adopted.

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On motion of Senator Sutherland,

The vote by which No. 229, A., was indefinitely postponed, was reconsidered, and the bill was recommitted to the Judiciary committee.

On motion of Senator Burrows,

The vote by which No. 58, A., was indefinitely postponed, was reconsidered, and the bill was recommitted to the Judiciary committee.

Senator Kellogg moved that the vote by which the senate refused to order No. 145, S., engrossed be reconsidered, and that the motion lay over until to-morrow.

On motion of Senator Thomas,

Jt. Res. No. 9, S.,

Amending sections 4, 5, 11 and 21, articles of the constitution of the state of Wisconsin,

Was taken up.

Senator Woodman offered the following:

Amendments to printed resolution in the fourth line after the word "November," insert "after the adoption of this amendment."

Strike out all the last sentence in section 5, lines 13, 14, 15, and insert the following: The senators elected or holding over, at the time of adoption of this amendment, shall continue in office till their successors are duly elected and qualified; and after the adoption of this amendment, all senators shall be chosen for the term of four years.

Line, 19 add after the word governor, the following: In special session, and when so convened, no business shall be transacted except as shall be necessary to accomplish the special purpose for which it was convened.

Line twenty-four, insert the word "in" before the word "going."

Strike out the word "the" before the word "meeting."

Line twenty-six, after the word "indirectly" insert, "except for mileage, to be computed on the same route as for a regular session."

Amendments adopted, and the resolution as amended was adopted.

The ayes and noes being required, it was decided in the affirmative; ayes 24; noes 8; not voting 1.

The vote was as follows:

*Ayes* — Senators Bennett, Blackstone, Carter, Dering, Haben, Houghton, Hyde, Kelly, McFetridge, McGrew, Morgan, Paul, Quarles, Richardson, Ryland, Sacket, Scott, Smith, Sutherland, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman — 24.

*Noes* — Senators Anderson, Burrows, Fifield, Griffin, Grimmer, Kellogg, Price and Rankin — 8.

*Not voting* — Senator Chipman — 1.

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### MESSAGE FROM THE ASSEMBLY.

By J. E. ELDRÉD, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has concurred with the senate in

No. 136, S.,

A bill to authorize D. P. Simons, his associates and assigns, to construct and maintain a dam across and otherwise improve Butternut creek in Pierce county, Wisconsin,

Jt. Res. No. 18, S.,

Relating to the improvement of the Wisconsin and Fox rivers,

And has passed, and asks concurrence of senate in,

No. 70, A.,

A bill to provide for proof of kinship and to limit the lien of creditors on the real estate of deceased persons in certain cases,

No. 202, A.,

A bill relating to and amendatory of section 1108 of chapter 49 of revised statutes of 1878, entitled of taxation,

No. 150, A.,

A bill to amend chapter 127 of the laws of 1874, entitled an act to incorporate the city of Menasha,

No. 364, A.,

A bill to legalize the acts of Benjamin B. Baldwin, a justice of the peace in the county of Dane,

M. C. No. 10, A.,

Memorial to Wisconsin delegates in congress, relative to Reagan bill,

And has concurred in

No. 63, S.,

A bill relating to writs of mandamus and prohibition, and amendatory of section 3452 of the revised statutes of 1878.

And has passed, and asks concurrence of the senate in,

No. 290, A.,

A bill to change the boundary lines of the county of New, and to perfect its organization as the county of Langlade.

And has concurred with senate in amendments to  
No. 100, A.,

A bill to authorize the commissioners of public lands to loan a  
portion of the trust funds of the state to the county of Taylor,  
No. 86, A.,

A bill to amend section 169 of the revised statutes, entitled of  
state officers.

And has adopted and asks concurrence of senate in,  
Jt. Res. No. 35, A.,

Requesting the return of No. 64, A, to the assembly for further  
consideration.

And has amended and concurred in as amended,  
No. 167, S.,

A bill to consolidate and amend an act entitled an act to incor-  
porate the city of Madison, and the several acts amendatory  
thereto.

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#### ASSEMBLY MESSAGE CONSIDERED.

The assembly amendments to

No. 167, S.,

Were concurred in.

Jt. Res. No. 35, A.,

Was adopted.

Nos. 70, 202 and 364, A.,

Were referred to Judiciary committee.

No. 110, A.,

Was referred to committee on Incorporations.

No. 290, A.,

Was referred to the committee on Town and County Organiza-  
tion.

M. C. No. 10, A.,

Was referred to committee on Federal Relations.

On motion of Senator Quarles,

The vote by which

No. 361, A.,

A bill relating to the compensation of county judges in certain  
cases,

Was indefinitely postponed, was reconsidered, and the bill re-  
committed to the committee on judiciary.

Senator Kellogg called up the motion to reconsider the vote by  
which the senate refused to pass

No. 152, S.,

A bill amendatory of chapter 217, laws of 1874, entitled an act  
to appropriate to James Reynolds and John Fellenz a sum of  
money therein named, and to authorize them to bring an action  
against the state for the amount of their claim not covered by such  
appropriation.

The ayes and noes being demanded, it was decided in the affirm-  
ative; ayes 16; noes 15; not voting 2.

The vote was as follows:

*Ayes* — Senators Anderson, Bennett, Blackstone, Burrows, Carter, Fifield, Grimmer, Haben, Kellogg, Kelly, Paul, Rankin, Sacket, Smith, Van Schaick and Weaver — 16.

*Noes* — Senators Dering, Griffin, Houghton, McFetridge, McGrew, Morgan, Price, Quarles, Richardson, Ryland, Scott, Sutherland, Thomas, Van Steenwyk and Woodman — 15.

*Not voting* — Senators Chipman and Hyde — 2.

The question recurring on the passage of the bill, it was passed.

The ayes and noes being demanded, it was decided in the affirmative: ayes, 15; noes, 14.

The vote was as follows:

*Ayes* — Senators Bennett, Blackstone, Carter, Fifield, Grimmer, Haben, Kellogg, Kelly, Morgan, Paul, Rankin, Sacket, Smith, Van Schaick and Weaver — 15.

*Noes* — Senators Dering, Griffin, Houghton, McFetridge, McGrew, Price, Quarles, Richardson, Ryland, Scott, Sutherland, Thomas, Van Steenwyk and Woodman — 14.

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## BILLS ON THEIR ENGROSSMENT AND THIRD READING.

No. 4, S.,

A bill to permit the boards of supervisors of counties to exempt their respective counties from the provisions of sections 1623, 1624 and 1625 of the revised statutes of 1878, providing for the taxation of dogs,

No. 39, S.,

A bill to include the Chicago & Tomah railroad in the provisions of chapter 153 of the general laws of 1879, and amendatory of said chapter,

Were laid over.

No. 60, S.,

A bill to provide for the inspection of illuminating oils manufactured from petroleum or coal oils, and to regulate the sale thereof, and to repeal section 4359 of chapter 181, revised statutes of 1878.

The motion being on the adoption of the pending amendments, Senator Bennett offered the following amendment to the amendment:

Amend section 3 by striking out the words "a suitable number of," where they occur in the second line of said section, and insert in lieu thereof the words "in accordance with the provisions of this act."

Amend section 5 by inserting, immediately after the words "120° Fah.," the following words: Or which, for any reason whatever, shall not remain clear and transparent upon being cooled to a temperature equal to that of twenty degrees above the zero point of Fahrenheit's thermometer (20° Fah.), and kept at such temperature for a period not less than ten minutes of time, or which shall deposit any solid particles of paraffine when cooled, as aforesaid.

Amend section 7 by striking out the words "twenty-five cents," and inserting instead thereof the words, "thirty-five cents," and by striking out the words "twenty cents," and inserting in lieu thereof the words, "thirty cents," and by striking out the word "fifteen," and by inserting in lieu thereof the words twenty-five cents, and by striking out the words ten cents, and inserting in lieu thereof the words twenty cents, and by striking out the words eight cents, and inserting in lieu thereof the words fifteen cents.

Which was adopted.

Senator Richardson offered the following:

Amend section 9 by adding thereto:

*Provided*, That nothing in this act shall be construed so as to prohibit the sale or use of Rose burning fluid, in the counties of Rock, Green and Dane,

Which was rejected.

The amendment as amended was then adopted, and the bill ordered engrossed and read a third time.

The amendments to

No. 76, S.,

A bill to provide for the incorporation of religious societies in connection with Congregational churches,

Were adopted,

And the bill ordered engrossed and read a third time.

No. 155, S.,

A bill to correct and fix the boundaries between the county of New and the county of Shawano, and for the separate organization of the county of New, and to repeal such portions of sections 12, 13, 14 and 15, of chapter 114 of the general laws of 1879 as conflict with this act,

Was ordered engrossed and read a third time.

On motion of Senator Grimmer,

The vote by which No. 155, S., was ordered engrossed and read a third time,

Was reconsidered.

Senator Grimmer offered the following amendment:

Amend the printed amendments by striking out after the words "Shawano county," in the sixth line of section 2 to the words "no tax," in the fourteenth line, and insert in lieu thereof the words:

In submitting the proposition for railroad aid at any time in Shawano county, shall order the vote of Langlade county to be taken as a separate and distinct proposition in and for said county of Langlade, and no tax for railroad aid or interest on the same shall be levied on the territory set apart as the county of Langlade, unless a majority of the voters of said county of Langlade shall vote in favor of the proposition. The county board of Shawano county shall not have power to alter the boundaries of any town in said territory known as the county of Langlade.

But three towns into which said territory was divided by the county board of Shawano county prior to January 1, 1880, shall be and remain and be organized as heretofore provided by the county board of Shawano county.

On motion of Senator Kellogg,  
The bill, with pending amendment, was laid over.

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On motion of Senator McGrew,  
The senate adjourned.

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WEDNESDAY, MARCH 10, 1880.

10 o'CLOCK A. M.

The senate met.

President *pro tem.* Scott in the chair.

Prayer by the Rev. Mr. Winn.

The roll was called, and the following senators answered to their names:

Senators Anderson, Bennett, Blackstone, Burrows, Carter, Der-  
ing, Fifield, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg,  
Kelly, McGrew, Morgan, Paul, Price, Quarles, Rankin, Richardson,  
Ryland, Sacket, Scott, Smith, Sutherland, Thomas, Van Schaick,  
Van Steenwyk, Weaver and Woodman.

The journal of yesterday was approved.

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### LEAVES OF ABSENCE.

Indefinite leave of absence was granted to Senator Sutherland.

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### COMMUNICATIONS.

STATE OF WISCONSIN,  
*Department of State,*  
MADISON, *March 9, 1880.*

HON. THOS. B. SCOTT,

*President pro tem. of the senate:*

SIR: In compliance with the provisions of section 147 of the revised statutes, I have the honor to transmit herewith to the legislature the following claim against the state, requiring legislative action, to wit:

Claim of W. J. Hellenbolt, for \$120.00. This claim, if allowed, will be chargeable to the general fund.

Very respectfully,

Your obedient servant,

HANS B. WARNER,

*Secretary of State.*

The claim was referred to the committee on Claims.

MILWAUKEE, Wis., *March 9, 1880.*

HIS EXCELLENCY, THE GOVERNOR, *President of the senate, speaker of the house, and members of the legislature of Wisconsin:*

Believe it to be the sentiment of the people that you make the 10th of June, 1880, a legal holiday, and respectfully ask that you will do so in recognition of the soldiers' reunion.

Edward Sanderson,  
Chas. H. Larkin,  
John R. Goodrich,  
B. B. Hopkins,  
W. A. Collins,  
John Black,  
B. Leidersdorf,

E. W. Hincks,  
Henry Fischer,  
C. K. Pier,  
D. N. Kasson,  
Griff J. Thomas,  
H. B. Harshaw,  
E. D. Henry and many others.

### RESOLUTIONS INTRODUCED.

By Senator Bennett:

Res. No. 30, S.,

*Resolved*, That 500 copies of the minority report on bill No. 79, S., in reference to the Wisconsin Phonological Institute, be printed for general distribution to members of this legislature.

On motion of Senator Hyde,

The rules were suspended and the resolution adopted.

### REPORTS OF COMMITTEES.

The committee on Enrolled Bills have examined and find correctly enrolled,

No. 86, S.,

A bill to amend section 4565 of the revised statutes, relating to certain game,

No. 179, S.,

A bill to authorize Delos R. Moon, his associates or assigns, to improve Muskrat river, a tributary of the Eau Claire river, in the county of Eau Claire.

GEO. E. SUTHERLAND,  
*Chairman.*

The committee on Incorporations, to whom was referred  
No. 212, A.,

A bill to authorize Halvor Annunson and John Annunson, their associates or assigns, to construct a dam across and otherwise improve Popple river, a branch of Pine river, in Oconto county, Wisconsin, for logging purposes,

Have had the same under consideration, and report it back with the recommendation that it be concurred in.

GEO. GRIMMER,  
*Chairman.*

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The committee on Judiciary, to whom was referred  
Jt. Res. No. 14, S.,

Joint resolution for the final adjustment of the demand therein mentioned,

Have had the same under consideration, and instructed me to report the same back by bill without recommendation.

H. E. HOUGHTON,  
*Chairman.*

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The joint committee on Claims, to whom was referred  
No. 70, S.,

A bill to appropriate to the state printer a sum of money therein named,

Have had the same under consideration, and have instructed me to report it back with the recommendation that it be recommitted to the committee on Judiciary.

W. T. PRICE,  
*Chairman.*

On motion of Senator Rankin,  
The bill was referred to the General File.

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The committee on Engrossed Bills have examined and find correctly engrossed:

No. 181, S.,

A bill to amend chapter 231 of the laws of 1876, entitled an act to amend and re-enact as amended, chapter 333 of the laws of 1875, entitled an act to amend chapter 16 of the private and local laws of 1872, entitled an act to incorporate the city of Eau Claire, so as to authorize the construction of water works by and for said city,

No. 190, S.,

A bill to authorize Oscar F. Knapp to keep and maintain a ferry across the St. Croix river between the town of Osceola Mills, Wisconsin, and Minnesota,

No. 260, S.,

A bill relating to a military road, so called, in the state of Wisconsin, and repealing the act exempting the same,

entitled an act to limit the number of terms to which a person may be eligible to the office of county treasurer,

No. 214, S.,

An act to legalize the action of the board of supervisors of Lincoln county,

No. 219, S.,

An act to amend section 1 of chapter 80 of private and local laws of 1855, entitled an act supplementary to an act to incorporate the Milwaukee Mechanics' Mutual Insurance Company, relating to restrictions in the bringing of suits,

No. 186, S.,

An act in relation to the State Historical Society, and appropriating a sum of money,

No. 231, S.,

An act to amend section 2424 of the revised statutes, relating to the time of holding court in Brown county,

No. 90, S.,

An act to appropriate to the Industrial School for Boys a certain sum of money for current expenses,

No. 12, S.,

An act relating to fences,

No. 53, S.,

An act fixing the time when wild deer may be taken in the counties of Ashland, Bayfield and Douglas,

No. 88, S.,

An act to provide for the rebuilding of a portion of the Institution for the Education of the Deaf and Dumb, and to appropriate the sum of money therein named,

No. 91, S.,

An act to appropriate to the Institution for the Education of the Deaf and Dumb a sum of money therein named,

No. 127, S.,

An act to amend section 680 of the revised statutes of 1878, relating to claims against counties,

No. 138, S.,

An act to appropriate to the Northern Wisconsin Agricultural and Mechanical Association a sum of money therein named,

No. 129, S.,

An act to amend chapter 22 of the revised statutes of 1878, entitled of the distribution of public documents,

No. 139, S.,

An act to amend section 5 of chapter 51 of the general laws of 1866, entitled an act to authorize the use of money arising from the sale of certain swamp and overflowed lands in the counties of Manitowoc and Calumet, for drainage and other purposes, and to amend chapter 537 of the laws of 1865, relating thereto,

No. 159, S.,

An act to aid the Eastern Monroe County Agricultural Society,

No. 232, S.,

An act to appropriate a sum of money therein named to the Horticultural Society,

No. 120, S.,

An act to authorize the Hamburg Town Fire Insurance Company to reinsure the Vernon County Scandinavian Mutual Insurance Company,

No. 225, S.,

An act in relation to fences, and to amend section 1391 of the revised statutes of 1878,

No. 30, S.,

An act to authorize A. D. Lunt and Peter Musser, their associates and assigns, to build a dam across and otherwise improve Elk river, in Price county, for log driving purposes,

No. 115, S.,

An act to appropriate a certain sum of money therein named to the Wisconsin Industrial School for Girls,

No. 133, S.,

An act to authorize W. F. Bailey, Geo. W. Mason, R. J. Kepler and A. L. Dodge, and their associates and assigns, to build and maintain a bridge over and across the Chippewa river,

No. 135, S.,

An act to appropriate to the State Agricultural Society the sum of money therein named,

No. 137, S.,

An act to amend section 2922 of the revised statutes, concerning costs and fees allowed to parties in circuit courts,

No. 147, S.,

An act to appropriate the sum of five hundred dollars to the Central Wisconsin Agricultural and Mechanical Association,

No. 154, S.,

An act to appropriate to the Bell Telephone Company of Madison, Wisconsin, a sum of money therein named,

No. 201, S.,

An act to amend section 1480 of the revised statutes of 1878, relating to the prevention of the spread of noxious weeds,

No. 246, S.,

An act to authorize Joseph S. Wilson, his associates and assigns, to construct and maintain a boom and piers in the Chippewa river in the city of Eau Claire.

WILLIAM E. SMITH.

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#### MESSAGE FROM THE ASSEMBLY.

By J. E. ELDRED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has concurred in No. 81, S.,

A bill to amend section 4395 of the revised statutes of 1878, entitled of offenses against the lives and persons of individuals,

No. 77, S.,

A bill to promote good order and repress crime,

No. 82, S.,

A bill to repeal sections 592 and 594 of revised statutes of 1878, relating to public charities, and to amend section 593, R. S. 1878, and to prescribe the procedure for committing persons to the insane hospitals,

No. 148, S.,

A bill to provide for the collection of statistics of pauperism and crime,

No. 117, S.,

A bill to amend section 20 of chapter 5 of the revised statutes of 1878, entitled of electors and general elections,

No. 125, S.,

A bill relating to offenses against the lives and persons of individuals, and amendatory of section 4389, chapter 181, revised statutes of 1878,

No. 183, S.,

A bill relating to the equalization of assessments,

No. 218, S.,

A bill relating to the board of state canvassers, and amendatory of section 58 of chapter 5 of the revised statutes of 1878,

M. C. No. 6, S.,

For an appropriation to pay awards for flowage caused by the United States in the construction and maintenance of the Fox and Wisconsin improvement,

And has amended, and concurred in as amended,

No. 233, S.,

A bill to authorize the commissioners of school and university lands to loan a portion of the trust funds to the town of Lincoln, Trempealeau county,

No. 259, S.,

A bill to amend the charter of the city of Green Bay,

No. 250, S.,

A bill to amend section 129 of chapter 11 of the revised statutes, entitled of state officers,

No. 194, S.,

A bill to authorize the commissioners of public lands to loan a portion of the trust funds of the state to the county of Lincoln,

No. 217, S.,

A bill to amend the subdivisions entitled additional powers of peculiar corporations, of chapter 86 of the revised statutes of Wisconsin, entitled of the organization of corporations,

No. 227, S.,

A bill to amend section 2731 of the revised statutes of 1878, relating to proceedings by attachment.

And has concurred in the adoption of

Jt. Res. No. 19, S.,

Requesting the governor to return to the senate bill No. 46, S., for correction.

And has refused to concur in

No. 126, S.,

A bill to provide for laying out and establishing a road from Milwaukee to Port Washington,

And has passed, and asks the concurrence of the senate in,  
No. 215, A.,

A bill to authorize James Conniff to maintain a dam now built by him on his own land in section twenty-two, township thirty-four, range seventeen east, in Marinette county,

No. 344, A.,

A bill relating to the taking of lands for canal purposes, and amendatory of sections 2 and 6 of the general laws of 1877,

No. 213, A.,

A bill to authorize the supervisors of the county of Oconto to borrow money to be used for the purpose of paying the present indebtedness of said county,

No. 374, A.,

A bill to amend chapter 133 of the revised statutes of 1878, entitled of actions of ejectment,

M. C. No. 11, A.,

Memorial to congress praying for an equalization of soldiers' bounties,

M. C. No. 18, A.,

Memorial to congress relating to the improvement of the Mississippi river and its tributaries,

And asks the return of

No. 345, A.,

A bill relating to attachments, and amendatory of section 2731 of the revised statutes,

For reconsideration.

No. 345, A.,

Was ordered returned.

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#### ASSEMBLY MESSAGE CONSIDERED.

No. 215, A.,

Was referred to the committee on Incorporations.

Nos. 344 and 213, A.,

Were referred to the committee on State Affairs.

No. 374, A.,

Was referred to the committee on Judiciary.

M. C. Nos. 11 and 18, A.,

Were referred to the committee on Federal Relations.

The assembly amendments to

Nos. 233, 259, 250, 194 and 227, S.,

Were concurred in.

On motion of Senator Price,

No. 217, S.,

With pending assembly amendments,

Was referred to a select committee consisting of Senator Griffin

## BILLS READY FOR A THIRD READING.

No. 191, S.,

A bill to repeal sections 5 and 6 of chapter 192 of the general laws of 1879, in relation to game,

Was read a third time and passed.

No. 60, A.,

A bill relating to and amendatory of section 3326 of chapter 143, revised statutes of 1878, entitled of liens,

No. 69, A.,

A bill to legalize the acts of W. H. Gibson, a justice of the peace in Trempealeau county,

No. 80, A.,

A bill to amend section 914 of the revised statutes, relating to taxes levied by village boards,

No. 101, A.,

A bill in relation to a ferry across the Mississippi river, and amendatory of chapter 216 of the private and local laws of 1871, entitled an act to authorize Henry Gardner and Albert H. Wareham to keep and maintain a ferry across the Mississippi river at a point where the line of Crawford and Vernon counties strikes said river,

No. 121, A.,

A bill to amend section 3368 of chapter 145 of the revised statutes of 1878, in relation to appeals from justice courts,

No. 144, A.,

A bill to amend section 2623, chapter 119, of the revised statutes of 1878, entitled of the place of trial of civil actions,

No. 145, A.,

A bill to amend section 3331 of chapter 143, revised statutes, entitled liens upon logs and lumber,

No. 160, A.,

A bill to provide for service of process upon transportation companies, and the appointment of an attorney therefor within this state,

No. 172, A.,

A bill to amend section 14 of chapter 103, laws of 1879, relating to tax deeds in Price county,

No. 179, A.,

A bill to amend sections 2489, 2490 and 2498 of the revised statutes of 1878, relative to the municipal court of the city and town of Ripon,

No. 181, A.,

A bill to amend section 3725 of chapter 158 of the revised statutes of 1878, relating to proceedings in garnishment,

No. 218, A.,

A bill to authorize the granting of state certificates to graduates of colleges and universities,

No. 255, A.,

A bill to amend chapter 147 of the laws of 1879, entitled an act to authorize James and William Johnson to erect, maintain and

keep up a dam across Willow river, in St. Croix county, Wisconsin,

No. 345, A.,

A bill relating to attachments, and amendatory of section 2731 of the revised statutes,

No. 397, A.,

A bill to amend an act entitled an act to amend, revise and consolidate the city charter of the city of Fond du Lac,

Were severally read a third time and concurred in.

No. 395, A.,

A bill relating to the appropriation of money to the state board of immigration, and amendatory of section 7 of chapter 176 of the laws of 1879.

Was read a third time and concurred in.

The ayes and noes being required, it was decided in the affirmative: ayes, 26; noes, 3.

The vote was as follows:

*Ayes* — Senators Anderson, Bennett, Burrows, Carter, Dering, Fifield, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, Kelly, McGrew, Morgan, Paul, Price, Quarles, Ryland, Scott, Sutherland, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman—26.

*Noes* — Senators Rankin, Richardson and Smith — 3.

On motion of Senator Rankin,

The vote by which No. 345, A., was concurred in, was reconsidered and the bill was laid over until to-morrow.

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## BILLS ON THEIR ENGROSSMENT AND THIRD READING.

No. 169, S.,

A bill to amend section 1795 of the revised statutes, relating to corporations,

No. 182, S.,

A bill to provide for draining wet or swamp lands and lead or coal mines,

M. C. No. 9, S.,

For an appropriation to pay awards for flowage caused by the United States in the construction and maintenance of the Fox and Wisconsin Improvement,

Were severally ordered engrossed and read a third time.

No. 249, S.,

A bill to amend section 1570 of chapter 67 of the revised statutes of 1878, relating to peddlers,

With pending amendments, was recommitted to the Judiciary committee.

The motion to reconsider the vote by which the senate refused to order

No. 145, S.,

A bill in relation to swamp lands in the counties of Marathon, Chippewa, Clark, Shawano, Oconto and Marinette,

## BILLS READY FOR A THIRD READING.

No. 191, S.,

A bill to repeal sections 5 and 6 of chapter 192 of the general laws of 1879, in relation to game,

Was read a third time and passed.

No. 60, A.,

A bill relating to and amendatory of section 3326 of chapter 143, revised statutes of 1878, entitled of liens,

No. 69, A.,

A bill to legalize the acts of W. H. Gibson, a justice of the peace in Trempealeau county,

No. 80, A.,

A bill to amend section 914 of the revised statutes, relating to taxes levied by village boards,

No. 101, A.,

A bill in relation to a ferry across the Mississippi river, and amendatory of chapter 216 of the private and local laws of 1871, entitled an act to authorize Henry Gardner and Albert H. Wareham to keep and maintain a ferry across the Mississippi river at a point where the line of Crawford and Vernon counties strikes said river,

No. 121, A.,

A bill to amend section 3368 of chapter 145 of the revised statutes of 1878, in relation to appeals from justice courts,

No. 144, A.,

A bill to amend section 2623, chapter 119, of the revised statutes of 1878, entitled of the place of trial of civil actions,

No. 145, A.,

A bill to amend section 3331 of chapter 143, revised statutes, entitled liens upon logs and lumber,

No. 160, A.,

A bill to provide for service of process upon transportation companies, and the appointment of an attorney therefor within this state,

No. 172, A.,

A bill to amend section 14 of chapter 103, laws of 1879, relating to tax deeds in Price county,

No. 179, A.,

A bill to amend sections 2489, 2490 and 2498 of the revised statutes of 1878, relative to the municipal court of the city and town of Ripon,

No. 181, A.,

A bill to amend section 3725 of chapter 158 of the revised statutes of 1878, relating to proceedings in garnishment,

No. 218, A.,

A bill to authorize the granting of state certificates to graduates of colleges and universities,

No. 255, A.,

A bill to amend chapter 147 of the laws of 1879, entitled an act to authorize James and William Johnson to erect, maintain and

keep up a dam across Willow river, in St. Croix county, Wisconsin,

No. 345, A.,

A bill relating to attachments, and amendatory of section 2731 of the revised statutes,

No. 397, A.,

A bill to amend an act entitled an act to amend, revise and consolidate the city charter of the city of Fond du Lac,

Were severally read a third time and concurred in.

No. 395, A.,

A bill relating to the appropriation of money to the state board of immigration, and amendatory of section 7 of chapter 176 of the laws of 1879.

Was read a third time and concurred in.

The ayes and noes being required, it was decided in the affirmative: ayes, 26; noes, 3.

The vote was as follows:

*Ayes* — Senators Anderson, Bennett, Burrows, Carter, Dering, Fifield, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, Kelly, McGrew, Morgan, Paul, Price, Quarles, Ryland, Scott, Sutherland, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman—26.

*Noes* — Senators Rankin, Richardson and Smith — 3.

On motion of Senator Rankin,

The vote by which No. 345, A., was concurred in, was reconsidered and the bill was laid over until to-morrow.

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## BILLS ON THEIR ENGROSSMENT AND THIRD READING.

No. 169, S.,

A bill to amend section 1735 of the revised statutes, relating to corporations,

No. 182, S.,

A bill to provide for draining wet or swamp lands and lead or coal mines,

M. C. No. 9, S.,

For an appropriation to pay awards for flowage caused by the United States in the construction and maintenance of the Fox and Wisconsin Improvement,

Were severally ordered engrossed and read a third time.

No. 249, S.,

A bill to amend section 1570 of chapter 67 of the revised statutes of 1878, relating to peddlers,

With pending amendments, was recommitted to the Judiciary committee.

The motion to reconsider the vote by which the senate refused to order

No. 145, S.,

A bill in relation to swamp lands in the counties of Marathon, Chippewa, Clark, Shawano, Oconto and Marinette,

Engrossed and read a third time,  
Was taken up.

The ayes and noes being demanded, it was decided in the affirmative: ayes, 19; noes, 7.

The vote was as follows:

*Ayes* — Senators Anderson, Bennett, Blackstone, Burrows, Fifield, Griffin, Grimmer, Haben, Hyde, Kellogg, Kelly, Paul, Rankin, Richardson, Sacket, Scott, Smith, Van Schaick and Van Steenwyk — 19.

*Noes* — Senators Dering, Morgan, Price, Ryland, Thomas, Weaver and Woodman — 7.

Senator Anderson offered the following amendment:

Amend by inserting, as section 2 of the act, the following: "All lands hereby disposed of shall be and remain subject to purchase and sale at the maximum price of one dollar and twenty-five cents per acre, until the 1st day of January, 1890. Section 2 of the printed act is hereby made section 3 of the act."

On motion of Senator Rankin,

The bill, with pending amendments, was recommitted to a select committee consisting of Senators Kellogg, Griffin and Anderson.

The amendments to

No. 4, S.,

A bill to permit the board of supervisors of counties to exempt their respective counties from the provisions of sections 1623, 1624 and 1625 of the revised statutes of 1878. providing for the taxation of dogs,

Were adopted, and the bill was ordered engrossed and read a third time.

The ayes and noes being demanded, it was decided in the affirmative: ayes, 17; noes, 13.

The vote was as follows:

*Ayes* — Senators Anderson, Bennett, Blackstone, Burrows, Carter, Dering, Griffin, Grimmer, Houghton, McGrew, Morgan, Price, Quarles, Richardson, Ryland, Sutherland and Thomas — 17.

*Noes* — Senators Fifield, Haben, Hyde, Kellogg, Kelly, Paul, Rankin, Sacket, Scott, Smith, Van Schaick, Van Steenwyk and Woodman — 13.

No. 39, S.,

A bill to include the Chicago & Tomah railroad in the provisions of chapter 153 of the general laws of 1879, and amendatory of said chapter,

Was ordered engrossed and read a third time.

The ayes and noes being demanded, it was decided in the affirmative: ayes, 19; noes, 10.

The vote was as follows:

*Ayes* — Senators Bennett, Blackstone, Burrows, Dering, Fifield, Griffin, Grimmer, Hyde, Kellogg, Kelly, McGrew, Price, Quarles, Richardson, Ryland, Scott, Sutherland, Van Steenwyk and Woodman — 19.

*Noes* — Senators Anderson, Carter, Haben, Houghton, Paul, Rankin, Sacket, Smith, Thomas and Van Schaick — 9.

No. 68, S.,

A bill to amend sections 1 and 5 of chapter 192, laws of 1879, entitled an act to regulate the sizes of meshes of nets used in the waters of Lake Michigan, and the waters of Green Bay, and the waters of Lake Superior, and for the better enforcement of the fish and game laws of the state, and to repeal section 4563 of the revised statutes,

No. 78, S.,

A bill to provide for discharged convicts, and the appointment of a state agent for that purpose,

No. 79, S.,

A bill to provide for the education of the deaf and dumb by the articulate or phonological method,

No. 103, S.,

A bill to reorganize the third, fourth and tenth judicial circuits, and to create the thirteenth judicial circuit,

No. 119, S.,

A bill to provide for the transfer of the Milwaukee County Insane Asylum to the state, and to establish state hospitals for the curable insane,

No. 247, S.,

A bill relating to jurisdiction of justices of the peace in civil actions, and to amend sections 3568, 3569, 3616 and 3617 of the revised statutes of 1878,

Were severally indefinitely postponed.

On motion of Senator Rankin,

Further consideration of

No. 132, S.,

A bill to provide for the appointment of trustees for the control of the public charitable and reformatory institutions of the state,

Was postponed until Friday, the 12th inst.

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On motion of Senator Bennett,

The senate took a recess until eight o'clock this evening.

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8 O'CLOCK P. M.

The senate met.

President *pro tem.* Scott in the chair.

The roll was called and the following senators answered to their names:

Senators Anderson, Bennett, Blackstone, Burrows, Carter, Dering, Fifield, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, Kelly, McFetridge, McGrew, Morgan, Paul, Price, Quarles, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman.

## RESOLUTION INTRODUCED.

By Senator Kellogg:

Res. No. 31, S.,

*Resolved*, That the assembly be requested to return to the senate for further consideration, Jt. Res. No. 31, A.

Adopted.

## REPORTS OF COMMITTEES.

The committee on Finance, Banks and Insurance, to whom was referred

No. 54, A.,

A bill regulating the rate of interest,

Have had the same under consideration, and report as follows:

That the rate of interest on money should be regulated solely by the supply and demand of the circulating medium, and by the various circumstances surrounding each individual case; a principle applied to all other branches of business pursuits.

That the principle of free trade in money advocated in Professor Roscher's work on "Political Economy," American edition, volume two, sections 193 and 194, favoring the abolition of all usury laws, and now adopted in Great Britain, Germany, Holland, Belgium, Sweden and Norway and other European countries, as well as in Massachusetts, Connecticut and other states of the Union, establishes the correct policy and should become universal.

That, as it is well understood that no loans can be effected in this state at a rate of interest of six (6) per cent. per annum, the practical restriction of all loans to the rate of seven (7) and eight (8) per cent., as is proposed in the bill under consideration, at which rates hitherto only the safest and best loans have been made in this state, would injuriously affect and seriously cripple the business enterprise of our people.

That while loans can be effected at the rate of eight (8), and even sometimes at seven (7) per cent., when approved and undoubted security is offered, no one would trust his funds at similar rates with inadequate or without any collateral security, as is so often done in making the smaller and shorter kinds of mercantile loans.

That it is idle to suppose that capitalists, insurance companies and other corporations should loan their available funds in this state at a lower rate than can be obtained in the neighboring states of Michigan, Iowa and Minnesota; that, on the contrary, funds from abroad, seeking investment until now in this state, would naturally hereafter look to other sections of the country for more advantageous employment than could be here secured, and that funds actually already loaned and gradually falling due, would follow the same example, and be reinvested elsewhere.

That while in some of the more densely populated, longer settled and richer portions of our state, interest on money at the rate of eight (8) and perhaps of seven (7) per cent. per annum for certain kinds of loans may be deemed by your committee not far from

a fair standard; that, on the other hand, in the more northern and northwestern portions of the state, where surplus money among the people is scarce, and where foreign capital is continually needed, and which section constitutes the largest part of our territory, such limitation would inevitably check enterprise and development; and that in mining and lumbering districts it would not rarely be followed by utter stagnation.

That those who now clamor injudiciously for the reduction and limitation of the rate of interest, would most likely be among the first to suffer by the withdrawal of surplus capital from their section of the state. That the existing law is a nearer approach to free trade in money, and leaves a more reasonable margin for discrimination between the rates for the various kinds of loans or investments vibrating between seven (7) and ten (10) per cent. per annum, leaving the judicious regulation to lender and borrower, according to the quality of security offered by the borrower and the degree of risk incurred by the lender.

That the bill under consideration is more arbitrary, and gives practically but a margin of one (1) per cent. between the best and the most risky investments, as it is not reasonable to suppose that any money in the near future would be invested at a rate lower than seven (7), and as it could not be lent at a rate higher than eight (8) per cent. per annum; that such a law would not give a fair opportunity to discriminate as to quality of securities offered, duration of time of loan, amount of loan, character of borrower, and other features of the risk.

That in many of the younger states, for the sake of calling capital to their territory, the rate of interest is much higher than in this and the neighboring states, while in others the penalty for usury is confined to the loss of the usurious part of the interest only.

That out of forty-seven (47) states and territories in the Union, twenty-nine (29) legalize either ten (10) per cent., or a higher rate, or make it legal for parties to agree on any rate of interest, while in ten (10) states the penalty for usury is limited to the excess above the legally established rate of interest.

Your committee, for the reasons enumerated, considers the passage of the bill under consideration injurious, and ill adapted to our wants; it believes that its adoption would diminish the capital at present available by the gradual withdrawal thereof to other sections of the country, where no onerous restrictions are enacted; that it would check the development of our great natural resources; and that it lacks in the elements of fairness and justice, inasmuch as it leaves a hardly perceptible margin between the interest on the various kinds of loans or investments.

Your committee can hardly expect that a bill can be passed at this time establishing the principle of free trade in money, as it exists for all other commodities, which principle has long since been adopted in several of the older states and in nearly all parts of Europe, where the usury laws have been abolished as relics of the dark ages, and as worse than useless; and believing that our present law

meets the requirements of our people much better than the one proposed; that it is impossible that at this time any material improvement in the existing law can be passed; that the greater abundance of capital in this period of returning prosperity has already caused in many cases a very perceptible reduction in the rate of interest, your committee deems it most advisable to leave the law as it now stands on our statute book intact.

Your committee, for the various reasons stated, have instructed me to report the bill back to the senate, with the recommendation that its further consideration be indefinitely postponed.

G. VAN STEENWYK,  
*Chairman.*

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The committee on Incorporations, to whom was referred  
No. 150, A.,

A bill to amend chapter 127 of laws of 1874, entitled an act to incorporate the city of Menasha,

Have had the same under consideration, and have instructed me to report the same back with amendments, and recommend that it be concurred in when so amended.

No. 215, A.,

A bill to authorize James Conniff to maintain a dam now built by him on his own land in Marinette county,

With the recommendation that it be indefinitely postponed.

GEO. GRIMMER,  
*Chairman.*

On motion of Senator Haben,  
The rules were suspended, and  
Nos. 150 and 215, A.,  
Were considered at this time.

The amendments to

No. 150, A.,

Were adopted, and the bill was read a third and concurred in.

No. 215, A.,

Was indefinitely postponed.

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The committee on Federal Relations, to whom was referred that portion of the governor's message relating to river and harbor improvements, also executive communication of March 6, 1880, relating to the contemplated action of congress whereby it is proposed to provide for the construction of reservoirs upon the headwaters of certain rivers in this state, and the withdrawal from sale of certain state lands,

Have had the same under consideration, and instruct me to report the accompanying bill and recommend the passage of the same.

M. GRIFFIN,  
*Chairman.*

## BILL INTRODUCED.

Read first and second times and referred.

By the Committee on Federal Relations:

No. 269, S.,

A bill providing for the withdrawal from market and sale of certain state lands, and for other purposes.

To General File,

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The committee on Enrolled Bills have examined and find correctly enrolled:

No. 134, S.,

A bill to amend chapter 231 of the laws of 1876, entitled an act to amend and re-enact, as amended, chapter 333 of the laws of 1875, entitled an act to amend chapter 16 of the private and local laws of 1872, entitled an act to incorporate the city of Eau Claire so as to authorize the construction of water works by and for said city,

No. 67, S.,

A bill to provide for the appointment of register of probate of the county court of Milwaukee county, and for other purposes,

Jt. Res. No. 18, S.,

Relating to the improvement of the Wisconsin and Fox rivers,

No. 136, S.,

A bill to authorize D. P. Simons, his associates and assigns, to construct and maintain a dam across and otherwise improve Butternut creek in Price county, Wisconsin,

No. 178, S.,

A bill to authorize Delos R. Moon, his associates or assigns, to improve Wolf river, a tributary of the north fork of the Eau Claire river, in the counties of Clark, Chippewa and Eau Claire.

WM. T. PRICE,

*Chairman pro tem.*

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The committee on Judiciary, to whom was referred

No. 58, A.,

A bill to amend section 1863 of the revised statutes, and to authorize the laying out of street railways and tramways in villages and towns,

No. 364, A.,

A bill to legalize the acts of Benjamin B. Baldwin, a justice of the peace in the county of Dane,

Have had the same under consideration, and instruct me to report them back with the recommendation that they be concurred in.

No. 202, A.,

A bill relating to and amendatory of section 1108, chapter 49 of revised statutes of 1878, entitled of taxation,

No. 252, S.,

A bill to define and fix the liabilities of persons or corporations owning or running sleeping cars within this state.

No. 70, A.,

A bill to provide for proofs of kinship and to limit the lien of creditors on the real estate of deceased persons in certain cases,  
With the recommendation that they be indefinitely postponed.

No. 249, S.,

A bill to amend section 1570 of chapter 67 of the revised statutes of 1878, relating to peddlers,

With amendment, and recommend that it pass when so amended.

H. E. HOUGHTON,

*Chairman.*

The committee on Railroads, to whom was referred

No. 83, S.,

A bill relating to railroads, and to amend section 1839 of the revised statutes, in relation to execution and recording of conveyances of railroad corporations,

Have had the bill under consideration, and have instructed me to report the same back with amendments, and recommend its passage when so amended.

H. S. SACKET,

*Chairman.*

## EXECUTIVE COMMUNICATION.

STATE OF WISCONSIN,

*Executive Department,*

MADISON, *March 10, 1880.*

*To the honorable, the senate:*

Complying with the request contained in Jt. Res. No. 19, S., I have the honor to return herewith for correction senate bill No. 46, entitled a bill relating to the payment of fees upon settlement of estates of deceased persons in the county of Milwaukee, and amendatory of section 2483 of the revised statutes of 1878.

WILLIAM E. SMITH.

## BILLS ON THEIR THIRD READING.

No. 4, A.,

A bill relating to proceedings to enforce liens on logs in certain cases,

No. 37, A.,

A bill to amend section 1014 of the revised statutes, relating to statistics,

No. 195, A.,

A bill to improve the Little Elk river in the county of Price.

and to grant to Mathew Wadleigh, R. M. Mooer and A. D. Lunt, their associates and assigns, certain powers and privileges therein named,

No. 201, A.,

A bill relating to the revised statutes and amending the same,

No. 222, A.,

A bill to vacate part of the Milwaukee and Waukesha plank road in Milwaukee county,

No. 248, A.,

A bill authorizing justices of the peace, elected in the town of Lisbon, Juneau county, to keep an office and to perform their duties in any part of the village of New Lisbon, Juneau county,

No. 249, A.,

A bill to legalize the action, therein set forth, of the village board of the village of Wonewoc, in the county of Juneau,

No. 250, A.,

A bill to amend chapter 48 of the laws of Wisconsin for the year 1875, entitled an act to authorize the parties therein named, their heirs or assigns, to build and maintain certain booms upon the river and lake St. Croix,

No. 263, A.,

A bill to legalize the action of the board of supervisors of Juneau county, in the division of the town of Kingston, in said county,

No. 274, A.,

A bill to amend chapter 318, private and local laws of 1855, as amended by chapter 189 of the general laws of 1865, relating to the house of correction of Milwaukee county,

No. 280, A.,

A bill to regulate the service of process in garnishee proceedings,

No. 302, A.,

A bill relating to crimes and the punishment thereof, and to amend sections 4490 and 4494 of the revised statutes,

No. 314, A.,

A bill to amend chapter 67 of the laws of Wisconsin for 1879, relating to justices of the peace in the city of Watertown, and amendatory of an act entitled an act to incorporate the city of Watertown, and the several acts amendatory thereof,

No. 394, A.,

A bill to authorize the city of Boscobel to invest its surplus bridge funds,

M. C. No. 7, A.,

Memorial to congress relating to school lands,

Were severally ordered to a third reading.

The amendments to

No. 94, A.,

A bill providing for the disposal of redemption money remaining in the hands of county clerks more than six years,

No. 206, A.,

A bill to prohibit unauthorized companies and agents from transacting the business of insurance in this state, and relating to the business of insurance,

No. 244, A.,

A bill to prevent the adulteration of food and medicine, and to provide for analyzing the same,

No. 247, A.,

A bill relating to and amendatory of section 1391 of chapter 55, entitled of fences,

No. 286, A.,

A bill to authorize Abel Neff to build a dam on Prairie river,

No. 370, A.,

A bill to prevent the manufacturers of lumber, lath or shingles from throwing slabs, edgings, trimmings of lumber or shingles, or saw dust, into the Wisconsin river, or any of its tributaries.

Were adopted, and the bills were severally ordered to a third reading.

No. 2, A.,

A bill to amend section 1 of chapter 192, laws of 1879, entitled an act to regulate the sizes of meshes of nets used in the waters of Lake Michigan, and the waters of Green Bay, and the waters of Lake Superior, and for the better enforcement of the fish and game laws of the state, and to repeal section 4563 of the revised statutes,

No. 71, A.,

A bill to legalize assignments of tax certificates made by any county in this state to any town therein, and to validate the deeds given to the assignees of such town by virtue of such certificates,

No. 139, A.,

A bill to amend section 2525 of chapter 116 of the revised statutes, entitled of jurors,

No. 289, A.,

A bill to amend sections 2561 and 3775 of the revised statutes, in relation to fees of jurors in justice courts,

Were severally indefinitely postponed.

M. C. No. 17, A.,

Memorial to congress in relation to the St. Croix land grant,  
Was laid over until to-morrow.

Senator Houghton moved to recommit

No. 247, A.,

To the Judiciary committee.

The motion was lost.

On motion of Senator Rankin,

The rules were suspended, and

No. 104, A.,

A bill to limit the number of terms to which a person may be eligible to the office of county treasurer,

Was taken up.

The question being on the indefinite postponement of the bill,

The ayes and noes being demanded, it was decided in the affirmative: ayes, 15; noes, 14; not voting, 4.

The vote was as follows:

*Ayes* — Senators Blackstone, Burrows, Dering, Fifield, Griffin, Houghton, Kellogg, Paul, Price, Rankin, Richardson, Ryland, Thomas, Van Steenwyk, and Woodman — 15.

*Noes* — Senators Anderson, Bennett, Grimmer, Haben, Hyde, Kelly, McFetridge, McGrew, Morgan, Quarles, Sacket, Smith, Van Schaick and Weaver — 14.

*Not voting* — Senators Carter, Chipman, Scott and Sutherland — 4.

No. 171, A.,

A bill relating to the house of correction of Milwaukee county,  
Was recommitted to the Judiciary committee.

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## BILLS ON THEIR ENGROSSMENT AND THIRD READING.

No. 171, S.,

A bill to fix a salary for sheriffs.

Senator McGrew offered the following amendment to the amendment:

Amend by adding thereto the following:

Provided, no such expenses shall be paid for such services in the county where the sheriff resides.

The amendment was adopted, and the bill was ordered engrossed and read a third time.

The amendments to

No. 155, S.,

A bill to correct and fix the boundaries between the county of New and the county of Shawano, and for the separate organization of the county of New, and to repeal such portions of sections 12, 13, 14 and 15, of chapter 114 of the general laws of 1879, as conflict with this act,

Were adopted.

Senator Kellogg offered the following amendment:

Amend section 1 by adding the following to the end of said section:

“The east half of townships 31 and 32 north, of range 9 east, of the fourth principal meridian, and all of townships 31 and 32 north, of range line east of the fourth principal meridian, are hereby detached from the county of Lincoln and attached to the county of Langlade, and hereafter shall constitute and form a part of said county.”

The amendment was lost.

And the bill ordered engrossed and read a third time.

The clerk was instructed to correct the title to correspond with the body of the bill.

Senator Van Schaick moved to adjourn.

The ayes and noes being demanded, it was decided in the affirmative: ayes 16; noes 3.

The vote was as follows:

*Ayes* — Senators Anderson, Dering, Fifield, Griffin, Grimmer, Haben, Hyde, Kelly, McFetridge, McGrew, Paul, Price, Smith, Thomas, Van Schaick and Woodman — 16.

*Noes* — Senators Bennett, Quarles and Van Steenwyk — 3.

And the senate adjourned.

THURSDAY, MARCH 11, 1880.

10 o'CLOCK A. M.

The senate met.

President *pro tem.* Scott in the chair.

The roll was called, and the following senators answered to their names:

Senators Anderson, Bennett, Blackstone, Burrows, Carter, Dering, Fifield, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, Kelly, McFetridge, McGrew, Morgan, Paul, Price, Quarles, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman.

The journal of yesterday was approved.

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### REPORTS OF COMMITTEES.

The committee on Engrossed Bills have examined and find correctly engrossed:

No. 4, S.,

A bill to permit the boards of supervisors of counties to exempt their respective counties from the provisions of sections 1623, 1624 and 1625 of the revised statutes of 1878, providing for the taxation of dogs,

No. 60, S.,

A bill to provide for the inspection of illuminating oils manufactured from petroleum or coal oils, and to regulate the sale thereof, and to repeal section 4359 of chapter 181, revised statutes of 1878,

No. 76, S.,

A bill to provide for the incorporation of religious societies in connection with Congregational churches,

No. 169, S.,

A bill to amend section 1795 of the revised statutes, relating to corporations,

No. 39, S.,

A bill to promote the development of the unsettled portions of northern Wisconsin, and to encourage the building of railroads therein,

M. C. No. 9, S.,

Memorial to congress for an appropriation to pay awards for flowage caused by the United States in the construction and maintenance of the Fox and Wisconsin improvement.

GEO. W. RYLAND,  
*Chairman.*

On motion of Senator Fifield,  
The rules were suspended, and  
No. 39, S.,  
Was read a third time and passed.

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The select committee to whom was referred  
No. 217, S.,

A bill to amend the subdivisions entitled additional powers of peculiar corporations, of chapter 86 of the revised statutes of Wisconsin, entitled of the organization of corporations,

Together with the assembly amendment,

Have had the same under consideration, and begs leave to report the same back with the recommendation that the assembly amendment be concurred in.

M. GRIFFIN,  
*Committee.*

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The committee on Roads and Bridges, to whom was referred  
No. 245, A.,

A bill authorizing the towns of Hortonia and Liberty, in Outagamie county, to construct a bridge across Wolf river,

Have had the same under consideration, and have instructed me to report the same back with the recommendation that it be concurred in.

J. B. BENNETT,  
*Chairman.*

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The committee on Engrossed Bills have examined and find correctly engrossed the following bill:

No. 155, S.,

A bill to correct and fix the boundaries between the county of Langlade and the county of Shawano, and to repeal such portions of sections 12 and 13 of chapter 114 of the general laws of 1879, as conflict with this act,

G. W. RYLAND,  
*Chairman.*

On motion of Senator Grimmer,  
The rules were suspended, and the bill was read a third time and passed.

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## MESSAGE FROM THE ASSEMBLY.

By J. E. ELDRED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has amended and concurred in as amended,

No. 116, S.,

A bill to amend section 1926, chapter 89 of the revised statutes of 1878, entitled of insurance corporations,

And has refused to concur in

No. 50, S.,

A bill to provide a salary for justices of the peace in incorporated cities of a population of sixty thousand or upwards.

And has concurred in

No. 223, S.,

A bill relating to and amendatory of the charter of the city of Portage,

No. 141, S.,

A bill to authorize the commissioners of public lands to loan a portion of the state funds to the town of Loraine, in the county of Polk,

No. 239, S.,

A bill to authorize mutual hail insurance companies of other states to do business in this state,

No. 98, S.,

A bill to authorize the St. Paul & Chicago Short Line Railway Company to construct a bridge over Lake St. Croix,

No. 161, S.,

A bill to provide for the better accommodation of the incurable insane of Waupaca county,

No. 172, S.,

A bill to amend section 1797 of the revised statutes, in relation to the salary of the clerk of the railroad commissioner,

No. 263, S.,

A bill to authorize the secretary of state to subscribe for biographical sketches of members of the constitutional conventions of 1846 and 1847-8,

And has amended, and concurred in as amended,

No. 102, S.,

A bill to amend sections 1546, 1547 and 1786 of chapters 65 and 86 of the revised statutes, relating to industrial schools and commitments thereto,

No. 6, S.,

A bill for the prevention of cruelty to minors,

And has refused to concur in

No. 16, S.,

A bill to authorize John Phelps, his associates or assigns, to erect and maintain a dam across the Wisconsin river, and make other improvements in the Wisconsin river in Lincoln county,

No. 57, S.,

A bill to protect certain game birds within this state,

And has concurred in senate amendments to

No. 121, A.,

A bill to amend section 3368 of chapter 145 of the revised statutes of 1878, in relation to appeals from justice courts,

No. 160, A.,

A bill to provide for service of process upon transportation companies, and the appointment of an attorney therefor within this state.

And has amended, and concurred in as amended,

No. 202, S.,

A bill to amend section 12 of chapter 84 of the private and local laws of 1864, entitled an act to incorporate the Black River Improvement Company, approved February 23, 1864.

And has passed, and asks the concurrence of the senate in,

No. 333, A.,

A bill to amend chapter 50 of the revised statutes of 1878, entitled of lands sold for taxes,

No. 308, A.,

A bill to amend section 4564 of the revised statutes of 1878, entitled of fish and game,

No. 363, A.,

A bill to repeal section 1816 of chapter 87 of the revised statutes of 1878, entitled of railroads.

And has amended the title to

No. 345, A.,

A bill relating to attachments, and amendatory of section 2731 of the revised statutes,

So as to read as follows:

No. 345, A.,

A bill relating to attachments, and amendatory of section 2731 of the revised statutes of 1878, entitled of attachments.

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#### ASSEMBLY MESSAGE CONSIDERED.

The assembly amendments to

Nos. 116, 202 and 6, S.,

Were concurred in, and the clerk instructed to correct the title of 116, S., to correspond with the body of the bill.

Nos. 333 and 363, A.,

Were referred to the Judiciary committee.

No. 308, A.,

Was referred to the committee on State Affairs.

The amendments to the title of

No. 345, A.,

Were concurred in.

No. 102, S.,

With pending amendments,

Was referred to Milwaukee Senators.

## RESOLUTIONS CONSIDERED.

Jt. Res. No. 12, S.,

Providing for amendment to state constitution regulating salaries of members of the legislature,

Was indefinitely postponed.

Jt. Res. No. 14, S.,

For the final adjustment of the demand therein mentioned,

Was laid over until to-morrow.

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BILLS READY FOR A THIRD READING.

No. 181, S.,

A bill to amend chapter 231 of the laws of 1876, entitled an act to amend and re-enact as amended, chapter 333 of the laws of 1875, entitled an act to amend chapter 16 of the private and local laws of 1872, entitled an act to incorporate the city of Eau Claire, so as to authorize the construction of water works by and for said city,

No. 260, S.,

A bill relating to a military road, so called, in the state of Wisconsin, and repealing the act exempting the same,

No. 267, S.,

A bill to provide for the settlement of accounts against the state for care of insane persons,

Were severally read a third time and passed.

No. 190, S.,

A bill to authorize Oscar F. Knapp to keep and maintain a ferry across the St. Croix river between the town of Osceola Mills, Wisconsin, and Minnesota,

Was read a third time and passed.

And the clerk was instructed to correct the title to correspond with the body of the bill.

No. 265, S.,

A bill to relieve a certain counter-claim of Simeon Mills, from the effect of the statute of limitation,

Senator Price moved to indefinitely postpone the bill.

Senator Thomas offered the following amendment.

Amend by inserting after the word "amount," in the third line of the printed bill, the words "alleged to have been."

Objection being made, the amendment was ruled out of order.

The question being on the indefinite postponement of the bill,

The ayes and noes being demanded, it was decided in the affirmative: ayes 17; noes 10.

The vote was as follows:

*Ayes* — Senators Bennett, Dering, Fifield, Griffin, Grimmer, Haben, Houghton, McFetridge, McGrew, Morgan, Price, Richardson, Ryland, Scott, Van Stenwyk, Weaver and Woodman — 17.

*Noes* — Senators Anderson, Burrows, Kellogg, Kelly, Paul, Rankin, Sacket, Smith, Thomas and Van Schaick — 10.

Senator Price moved that the vote by which the bill was indefinitely postponed be reconsidered, and that that motion be laid upon the table.

Which motion prevailed.

On motion of Senator Bennett,

The rules were suspended, and

No. 60, S.,

A bill to provide for the inspection of illuminating oils manufactured from petroleum or coal oils, and to regulate the sale thereof, and to repeal section 4359 of chapter 181, revised statutes of 1878,

Was read a third time and passed.

No. 4, A.,

A bill relating to proceedings to enforce liens on logs in certain cases,

No. 37, A.,

A bill to amend section 1014 of the revised statutes, relating to statistics,

No. 94, A.,

A bill providing for the disposal of redemption money remaining in the hands of county clerks more than six years,

No. 195, A.,

A bill to improve the Little Elk river, in the county of Price, and to grant to Mathew Wadleigh, R. M. Mooer and A. D. Lunt, their associates and assigns, certain powers and privileges therein named,

No. 201, A.,

A bill relating to the revised statutes, and amending the same,

No. 206, A.,

A bill to prohibit unauthorized companies and agents from transacting the business of insurance in this state, and relating to the business of insurance,

No. 222, A.,

A bill to vacate part of the Milwaukee and Waukesha plank road in Milwaukee county,

No. 244, A.,

A bill to prevent the adulteration of food and medicines and provide for analyzing the same,

No. 247, A.,

A bill relating to and amendatory of section 1391 of chapter 55, entitled of fences,

No. 248, A.,

A bill to amend section 1 of chapter 162, laws of 1877, relating to the city limits of the city of New London,

No. 249, A.,

A bill to legalize the acts therein set forth of the village board of the village of Wonewoc, in the county of Juneau,

No. 250, A.,

A bill to amend chapter 48 of the laws of Wisconsin for the

year 1875, entitled an act to authorize the parties therein named, their heirs or assigns, to build and maintain certain booms upon the river and lake St. Croix,

No. 263, A.,

A bill to authorize C. F. Dawes, his associates and assigns, to build and maintain a dam across and otherwise improve Rocky Run a tributary of Yellow river, in the county of Wood,

No. 274, A.,

A bill to amend chapter 318 of the private and local laws of 1855, as amended by chapter 189 of the general laws of 1865, relating to the house of correction, Milwaukee,

No. 280, A.,

A bill to regulate the service of process in garnishee proceedings,

No. 286, A.,

A bill to authorize Abel Neff to build and maintain a dam on Prairie river,

No. 302, A.,

A bill relating to crimes and the punishment thereof, and to amend sections 4490 and 4494 of the revised statutes,

No. 314, A.,

A bill to amend chapter 67 of the laws of Wisconsin for 1879, entitled of justices of the peace in the city of Watertown,

No. 370, A.,

A bill to prevent the manufacturers of lumber, lath or shingles from throwing slabs, edgings, trimmings of lumber or shingles, or saw dust, into the Wisconsin river, or any of its tributaries,

No. 394, A.,

A bill to authorize the city of Boscobel to invest its surplus bridge fund,

M. C. No. 7, A.,

Memorial to congress relating to school lands,

Were severally read a third time and concurred in.

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### BILLS ON THEIR THIRD READING.

No. 58, A.,

A bill to amend section 1863 of the revised statutes, and to authorize the laying of street railways or tramways in villages and towns,

No. 143, A.,

A bill to repeal chapter 367 of the general laws of 1876, entitled an act to protect fish in the Baraboo river in Columbia, Sauk, Juneau, Monroe and Vernon counties,

No. 275, A.,

A bill to compel the owners, proprietors and occupants of dams in the counties of Iowa and La Fayette to construct and maintain fish ways,

No. 364, A.,

A bill relating to Shawano county and its boundaries,

Were severally ordered to a third reading.

M. C. No. 17, A.,

Memorial to congress in relation to the St. Croix land grant,

Senator McFetridge offered the following amendment:

Amend the memorial so as to read as follows:

*To the honorable the senate and house of representatives of the United States:*

The memorial of the legislature of the state of Wisconsin, respectfully represents, that the state has heretofore constructed and is still engaged in constructing a railroad, in aid of which grants of land were made by acts of congress, approved respectively June 3, 1856, and May 5, 1864, and therefore respectfully, but earnestly asks that no action may be taken by congress which shall in any degree or manner divest the state's present title to said grants or any portion thereof.

The amendment was lost.

The ayes and noes being demanded, it was decided in the negative: ayes 8; noes 15.

The vote was as follows:

*Ayes* — Senators Bennett, Dering, McFetridge, Morgan, Paul, Richardson, Weaver and Woodman — 8.

*Noes* — Senators Blackstone, Fitch, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, Kelly, McGrew, Price, Rankin, Scott, Smith and Van Steenwyk — 15.

The memorial was then concurred in.

No. 70, A.,

A bill to provide for proof of kinship and to limit the lien of creditors on the real estate of deceased persons in certain cases,

No. 202, A.,

A bill to amend section 1130, chapter 49, revised statutes, entitled the advertisement of real estate for sale for taxes,

Were severally indefinitely postponed.

No. 398, A.,

A bill to ratify, confirm and make valid the acts and contracts of the state timber agent therein named,

Was recommitted to the Judiciary committee.

The rules were suspended, and

No. 212, A.,

A bill to authorize Halvor Annunson and John Annunson, their associates or assigns, to construct a dam across and otherwise improve Popple river, a branch of Pine river, in Oconto county, Wisconsin, for logging purposes,

No. 260, A.,

A bill granting to the city of Winona the right to establish, operate and maintain a ferry or ferries across the Mississippi river in the county of Buffalo, opposite to said city,

No. 339, A.,

A bill authorizing the city of Winona to construct, operate and maintain a bridge across the Mississippi river,

Were severally concurred in.

## BILLS ON THEIR ENGROSSMENT AND THIRD READING.

No. 236, S.,

A bill in relation to killing game for scientific purposes,

No. 243, S.,

A bill pertaining to and amendatory of the charter of the city of Milwaukee,

Were ordered engrossed and read a third time.

The amendments to

No. 52, S.,

A bill for the protection of brook trout in the state of Wisconsin,

No. 83, S.,

A bill relating to railroads, and to amend section 1839 of the revised statutes, in relation to execution and recording of conveyances of railroad corporations,

No. 244, S.,

A bill to amend section 4564 of chapter 185 of the revised statutes of 1878, entitled of offenses against public policy,

Were adopted,

And the bills were severally ordered engrossed and read a third time.

No. 70, S.,

A bill to appropriate to the state printer a sum of money therein named,

Senator Price offered the following amendment:

Strike out the words "1,368 dollars," and insert "700 dollars."

The amendment was adopted.

The bill was then indefinitely postponed.

The ayes and noes being demanded, it was decided in the affirmative: ayes, 13; noes, 12.

The vote was as follows:

*Ayes* — Senators Carter, Grimmer, Haben, Houghton, Morgan, Price, Rankin, Ryland, Scott, Smith, Van Schaick, Van Steenwyk and Woodman — 13.

*Noes* — Senators Anderson, Bennett, Blackstone, Burrows, Dering, Griffin, Hyde, Kellogg, Kelly, McGrew, Paul and Thomas — 12.

On motion of Senator Rankin, the rules were suspended, and

Nos. 58, 143, 274, 364, and M. C. No. 17, A.,

Were read a third time, and concurred in.

No. 54, A.,

A bill to regulate the rate of interest,

Was laid over until to-morrow.

No. 249, S.,

A bill to amend section 1570 of chapter 67 of the revised statutes of 1878, relating to peddlers.

Senator Thomas offered an amendment to the amendment reported by the committee.

The amendment to the amendment was adopted.

The amendment as amended was adopted, and the bill was ordered engrossed and read a third time.

No. 252, S.,

A bill to define and fix the liabilities of persons or corporations owning or running sleeping cars within this state,

Was indefinitely postponed.

The ayes and noes being demanded, it was decided in the affirmative: ayes, 16; noes, 9.

The vote was as follows:

*Ayes* — Senators Burrows, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, Morgan, Paul, Price, Rankin, Ryland, Scott, Thomas, Van Steenwyk and Woodman — 16.

*Noes* — Senators Anderson, Bennett, Carter, Dering, Kelly, McFetridge, McGrew, Quarles and Smith — 9.

Senator Griffin moved to adjourn.

The ayes and noes being demanded, it was decided in the affirmative: ayes, 16; noes, 9.

The vote was as follows:

*Ayes* — Senators Dering, Griffin, Grimmer, Houghton, Kellogg, McGrew, Paul, Price, Rankin, Ryland, Scott, Smith, Thomas, Van Schaick, Van Steenwyk and Woodman — 16.

*Noes* — Senators Anderson, Bennett, Carter, Haben, Hyde, Kelly, McFetridge, Morgan and Quarles — 9.

The senate then adjourned.

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FRIDAY, MARCH 12, 1880.

10 o'CLOCK A. M.

The senate met.

President *pro tem.* Scott in the chair.

Prayer by Rev. Mr. Winn.

The roll was called, and the following senators answered to their names:

Senators Anderson, Bennett, Burrows, Carter, Dering, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, Kelly, McFetridge, McGrew, Morgan, Paul, Price, Quarles, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman.

The journal of yesterday was approved.

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Senator Burrows moved that when the senate adjourn it be until 4 o'clock this afternoon.

The motion prevailed.

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#### LEAVES OF ABSENCE.

Indefinite leave of absence was granted to Senator Ryland after this session.

## REPORTS OF COMMITTEES.

The committee on Roads and Bridges, to whom was referred  
No. 316, A.,

A bill to lay out and establish a state road from the village of Cumberland, in Barron county, to the village of Deer Park, in St. Croix county,

Have had the same under consideration, and have instructed me to report the same back with amendments, and recommend that it be concurred in when so amended.

J. B. BENNETT,  
*Chairman.*

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The committee on Judiciary, to whom was referred

No. 239, A.,

A bill to extend the time for providing and filing claims against the Wisconsin Railroad Farm Mortgage Land Company,

No. 333, A.,

A bill to amend chapter 50 of the revised statutes of 1878, entitled of lands sold for taxes,

No. 363, A.,

A bill to repeal section 1816 of chapter 87 of the revised statutes of 1878, entitled of railroads,

No. 374, A.,

A bill to amend chapter 133 of the revised statutes of 1878, entitled of actions of ejectment,

Have had the same under consideration, and instructed me to report the same back with the recommendation that the same be concurred in.

No. 132, A.,

A bill to amend section 670, chapter 36 of the revised statutes, relating to special powers of county boards of supervisors,

No. 171, A.,

A bill relating to the house of correction of Milwaukee county,

No. 271, A.,

A bill to appropriate to D. G. Cheever a sum of money therein named,

With the recommendation that they be indefinitely postponed.

Senators Quarles and Paul dissenting as to No. 271, A.

No. 398, A.,

A bill to ratify, confirm and make valid the acts and contracts of the state timber agent therein named,

With amendment, and recommend it be concurred in when so amended.

H. E. HOUGHTON,  
*Chairman.*

On motion of Senator Fifield,  
The rules were suspended, and  
No. 398, A.,  
Was taken up.

The amendments were adopted, and the bill was read a third time and concurred in.

On motion of Senator Hyde,  
The rules were suspended, and  
No. 171, A.,  
Was indefinitely postponed.

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The committee on Charitable and Penal Institutions, to whom was referred

No. 92, S.,

A bill to appropriate to the Wisconsin State Hospital for the Insane certain sums of money to defray current expenses, and for special purposes,

No. 94, S.,

A bill to appropriate to the Northern Hospital for the Insane certain sums of money for current expenses and special purposes,

Have had the same under consideration, and have instructed me to report them back with amendments, and the recommendation that they do pass when so amended.

H. RICHARDSON,  
*Chairman.*

On motion of Senator Richardson,  
Nos. 92 and 94, S.,  
Were recommitted to committee on Claims.

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The committee on State Affairs, to whom was referred

No. 45, S.,

A bill to amend section 4560 of the revised statutes of 1878, entitled of fish and game,

Have had the same under consideration, and report it back with an amendment, and recommend its passage when so amended.

No. 344, A.,

A bill relating to the taking of lands for canal purposes, and amendatory of sections 2 and 6 of the general laws of 1877,

With the recommendation that it be indefinitely postponed.

GEO. B. BURROWS,  
*Chairman.*

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The committee on Engrossed Bills have examined and find correctly engrossed the following bills:

No. 52, S.,

A bill for the protection of brook trout in the state of Wisconsin,

No. 83, S.,

A bill relating to railroads, and to amend section 1839 of chapter 87 of the revised statutes of 1878, entitled of railroads,

No. 171, S.,

A bill to fix a salary for sheriffs,

No. 182, S.,

A bill to provide for draining wet or swamp lands and lead or coal mines,

No. 236, S.,

A bill in relation to killing game for scientific purposes,

No. 243, S.,

A bill pertaining to and amendatory of the charter of the city of Milwaukee,

No. 244, S.,

A bill to amend section 4564 of chapter 185 of the revised statutes of 1878, entitled of offenses against public policy,

No. 249, S.,

A bill to amend section 1570 of chapter 67 of the revised statutes of 1878, relating to peddlers.

GEO. W. RYLAND,  
*Chairman.*

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The committee on Federal Relations, to whom was referred

M. C. No. 11, A.,

Memorial to congress praying for an equalization of soldiers' bounties,

M. C. No. 18, A.,

Memorial to congress relating to the improvement of the Mississippi river and tributaries,

Have had the same under consideration, and herewith report the same back with the recommendation that they be concurred in.

M. C. No. 10, A.,

Memorial to Wisconsin delegates in congress, relative to Reagan bill,

With the recommendation that it be indefinitely postponed, for the reason that a similar memorial to congress was passed by this legislature, and forwarded to the Wisconsin Delegation in congress and has been presented to congress.

M. GRIFFIN,  
*Chairman.*

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The committee on Incorporations, to whom was referred

No. 21, S.,

A bill to authorize Elijah Swift, his heirs and assigns, to erect and maintain a dam across Mud Brook,

Have had the same under consideration, and report it back with an amendment and recommend its passage when so amended.

No. 5, A.,

A bill to authorize James W. Heather and James McGee to build and maintain dams in the Deer Tail, a branch of the Chippewa river,

No. 301, A.,

A bill to authorize Thomas J. La Flesh to maintain dams on the east fork of Black river in the counties of Wood, Clark and Jackson,

Report the same back with amendment, and recommend that they be concurred in when so amended.

No. 107, A.,

A bill to authorize John Redmond, his associates or assigns, to maintain a dam across, and otherwise improve Hay creek, in Chippewa county, Wisconsin,

Report the same back with the recommendation that it be concurred in.

GEO. GRIMMER,  
*Chairman.*

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### REPORTS OF SELECT COMMITTEES.

The special committee of one to whom was referred

No. 206, S.,

A bill to authorize John A. Humbird, Wm. H. Phipps, P. B. Jewell, and their associates and assigns, to construct and maintain a boom in the St. Croix Lake,

Has had the same under consideration, and reports the same back with an amendment, and recommends its passage when so amended.

SAM. S. FIFIELD,  
*Committee.*

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The special committee of one to whom was referred

No. 187, A.,

A bill to establish a municipal court in the county of Rock,

Has had the same under consideration, and begs leave to report the same back with the recommendation that it be indefinitely postponed.

H. RICHARDSON,  
*Committee.*

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The special committee to whom was referred

No. 145, S.,

A bill in relation to swamp lands in the counties of Marathon, Chippewa, Clark, Shawano, Oconto and Marinette,

Have had the same under consideration, and herewith report the same back with amendment, and recommend the passage of the bill when so amended.

J. A. KELLOGG,  
M. GRIFFIN,  
*Special Committee.*

Senator Burrows moved to recommit the bill to the special committee.

The ayes and noes being demanded, it was decided in the negative: ayes, 10; noes, 16; not voting, 7.

The vote was as follows:

*Ayes* — Senators Anderson, Bennett, Burrows, Carter, Dering, Morgan, Richardson, Ryland, Weaver and Woodman — 10.

*Noes* — Senators Fifield, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, Kelly, McFetridge, Paul, Price, Sacket, Scott, Smith, Thomas and Van Schaick — 16.

*Not voting* — Senators Blackstone, Chipman, McGrew, Quarles, Rankin, Sutherland and Van Steenwyk — 7.

Senator Kellogg moved that the rules be suspended and the bill put upon its passage at this time.

Two-thirds of the senators not voting in the affirmative,

The motion was lost: ayes 13; noes 14; not voting 6.

The vote was as follows:

*Ayes* — Senators Fifield, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, Kelly, McFetridge, Sacket, Scott, Smith and Van Schaick — 13.

*Noes* — Senators Anderson, Bennett, Burrows, Carter, Dering, Morgan, Paul, Price, Richardson, Ryland, Thomas, Van Steenwyk, Weaver and Woodman — 14.

*Not voting* — Senators Blackstone, Chipman, McGrew, Quarles, Rankin and Sutherland — 6.

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#### MESSAGE FROM THE ASSEMBLY.

By J. E. ELDRED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly is enjoying a concert, and invites the senate to come in,

And has passed, and asks the concurrence of the senate in  
No. 329, A.,

A bill to regulate the liabilities of villages in cases therein named,

No. 226, A.,

A bill for the establishment of a state normal school in the fourth congressional district of Wisconsin,

No. 385, A.,

A bill to amend chapter 6 of chapter 184 of the laws of 1874, entitled an act to revise, consolidate and amend the city charter of Milwaukee, approved February 20, 1852, and the several acts amendatory thereof,

No. 187, A.,

A bill to establish a municipal court in Rock county,

No. 273, S.,

A bill to appropriate to the Southwestern Wisconsin Industrial Association a sum of money therein named,

No. 386, A.,

A bill to appropriate to J. G. Hellenbolt a certain sum of money therein named,

And has concurred with the senate, in the passage of

No. 58, S.,

A bill relative to assessments for water pipes in the city of Milwaukee, and amendatory of sections 15, 16 and 17, of chapter 10 of chapter 184 of the laws of 1874,

Jt. Res. No. 9, S.,

Amending sections 4, 5, 11 and 21, article 4 of the constitution of the state of Wisconsin,

And returns to senate for further consideration

Jt. Res. No. 31, A.,

Granting leave to introduce a bill for certain purposes.

And has passed, and asks the concurrence of the senate in,

Jt. Res. No. 12, A.,

Providing an amendment to section 1 of article 3 of the constitution of Wisconsin, relating to suffrage.

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### MESSAGE FROM THE ASSEMBLY.

By J. E. ELDRED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has passed, and asks concurrence of senate in,

No. 399, A.,

A bill to make the 10th day of June, for the year 1880, a legal holiday.

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### ASSEMBLY MESSAGE CONSIDERED.

No. 273 and 386, A.,

Were referred to General File.

No. 226, A.,

Was referred to the committee on Education.

No. 385, A.,

Was referred to the Milwaukee Delegation.

No. 187, A.,

Was referred to a select committee consisting of Senator Richardson.

Jt. Res. No. 31, A.,

Was concurred in.

Senator Quarles moved that the senate take a recess of 15 minutes.

The motion was lost.

The ayes and noes being demanded, it was decided in the negative: ayes, 11; noes, 13; not voting, 9.

The vote was as follows:

*Ayes* — Senators Anderson, Burrows, Fifield, Grimmer, Haben, Hyde, McFetridge, McGrew, Paul, Price and Quarles — 11.

*Noes* — Senators Bennett, Carter, Dering, Griffin, Houghton,

Kellogg, Kelly, Morgan, Rankin, Ryland, Scott, Van Steenwyk and Woodman — 13.

*Not voting* — Senators Blackstone, Chipman, Richardson, Sacket, Smith, Sutherland, Thomas, Van Schaick and Weaver — 9.

Jt. Res. No. 12, A.,

Was referred to the general file, and made the special order for 4 o'clock this afternoon.

Nos. 299 and 399, A.,

Were referred to the Judiciary committee.

On motion of Senator Hyde,

The rules were suspended, and

No. 385, A.,

Was read a third time and concurred in.

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### BILLS READY FOR A THIRD READING.

No. 76, S.,

A bill to provide for the incorporation of religious societies in connection with Congregational churches,

No. 169, S.,

A bill to amend section 1795 of the revised statutes, relating to corporations,

M. C. No. 9, S.,

Memorial to congress for an appropriation to pay awards for flowage caused by the United States in the construction and maintenance of the Fox and Wisconsin improvement,

Were severally read a third time and passed.

No. 4, S.,

A bill to permit the boards of supervisors of counties to exempt their respective counties from the provisions of sections 1623, 1624 and 1625 of the revised statutes of 1878, providing for the taxation of dogs,

Was read a third time and passed.

The ayes and noes being demanded, it was decided in the affirmative: ayes, 14; noes, 11; not voting, 8.

The vote was as follows:

*Ayes* — Senators Anderson, Bennett, Burrows, Carter, Dering, Grimmer, Haben, Hyde, Kellogg, McFetridge, McGrew, Morgan, Quarles and Weaver — 14.

*Noes* — Senators Fifield, Price, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Thomas, Van Schaick and Woodman — 11.

*Not voting* — Senators Blackstone, Chipman, Griffin, Houghton, Kelly, Paul, Sutherland and Van Steenwyk — 8.

The assembly amendments to

No. 217, S.,

A bill to amend the subdivisions entitled additional powers of peculiar corporations, of chapter 86 of the revised statutes of Wisconsin, entitled of the organization of corporations,

Were concurred in.

On motion of Senator Rankin,  
All bills reported by the committees this morning were placed  
on the General File to be considered this afternoon.

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### RESOLUTIONS INTRODUCED.

On motion of Senator Kelly,  
Jt. Res. No. 14, S.,  
For the final adjustment of the demand therein mentioned,  
Was indefinitely postponed.

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### BILLS ON THEIR THIRD READING.

No. 245, A.,  
A bill authorizing the towns of Hortonia and Liberty, in Outagamie county, to construct a bridge across Wolf river,  
Was ordered to a third reading.  
On motion of Senator Anderson,  
No. 54, A.,  
A bill regulating the rate of interest,  
Was made the special order for 4 o'clock this afternoon.

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### BILLS ON THEIR ENGROSSMENT AND THIRD READING.

No. 132, S.,  
A bill to provide for the appointment of trustees for the control  
of the public charitable and reformatory institutions of the state,  
Was laid over until to-morrow morning.

No. 268, S.,  
A bill to authorize Morgan L. Martin to bring suit against the  
state.

Senator Rankin offered the following amendment:

Amend by striking out the word "notwithstanding," in the third  
line of section 1, and inserting in lieu thereof the words "in pur-  
suance of."

On motion of Senator Price, the bill with pending amendment  
was indefinitely postponed,

The ayes and noes being demanded, it was decided in the affirm-  
ative: ayes, 16; noes, 12; not voting, 5.

The vote was as follows:

*Ayes* — Senators Burrows, Dering, Griffin, Haben, Houghton,  
Hyde, McGrew, Price, Quarles, Richardson, Ryland, Scott, Thomas,  
Van Steenwyk, Weaver and Woodman — 16.

*Noes* — Senators Anderson, Bennett, Fifield, Grimmer, Kellogg,  
Kelly, Morgan, Paul, Rankin, Sacket, Smith and Van Schaick — 12.

*Not voting* — Senators Blackstone, Carter, Chipman, McFetridge and Sutherland — 5.

On motion of Senator Rankin, ✓

The committees, except the committee on Finance, Banks and Insurance, and Claims, were instructed to report back all the bills in their hands this afternoon.

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On motion of Senator Ryland,

The senate took a recess till 4 o'clock P. M.

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4 O'CLOCK P. M.

The senate met.

President *pro tem.* Scott in the chair.

The roll was called and the following senators answered to their names:

Senators Anderson, Bennett, Burrows, Carter, Dering, Fifield, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, Kelly, McFetridge, McGrew, Morgan, Paul, Price, Quarles, Rankin, Richardson, Ryland, Sacket, Scott, Smith, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman.

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### SPECIAL ORDER.

No. 54, A.,

A bill to regulate the rate of interest,

Being the special order for this hour,

Was taken up.

The question being on the indefinite postponement of the bill, it was indefinitely postponed.

The ayes and noes being demanded, it was decided in the negative: ayes, 18; noes, 11; not voting, 4.

The vote was as follows:

*Ayes* — Senators Bennett, Fifield, Griffin, Grimmer, Hyde, Kellogg, Kelly, Morgan, Paul, Quarles, Rankin, Ryland, Scott, Smith, Thomas, Van Schaick, Van Steenwyk and Weaver — 18.

*Noes* — Senators Anderson, Burrows, Carter, Haben, Houghton, McFetridge, McGrew, Price, Richardson, Sacket and Woodman — 11.

*Not voting* — Senators Blackstone, Chipman, Dering and Sutherland — 4.

Jt. Res. No. 12, A.,

Joint resolution proposing an amendment to section 1 of article III of the constitution of Wisconsin, relating to suffrage,

Was taken up.

Senator Bennett offered the following amendment:

Amend by inserting the word "male," immediately after the word "any," in the third line of the printed joint resolution, and inserting the words "any male" immediately after the word "and," in the fifth line thereof.

Amend by inserting immediately after the word "reside" in the eighteenth line of the said printed joint resolution, the following words: "Any female citizen of the United States of the age of twenty-one years and upwards, who shall have resided in the state during the six months, and in the town, ward or election precinct ten days immediately preceding such election, and any female of foreign birth of the age of twenty-one years and upwards, who shall have resided in the United States one year, and in the town, ward or election precinct ten days immediately preceding such election, and shall have declared her intention to become a citizen of the United States, conformably to the laws of the United States on the subject of naturalization, at least ten days immediately preceding the election, and shall be the owner of any real estate in the town, ward or election precinct in which she resides, and shall pay the taxes thereon, or shall in her own proper name conduct and carry on any business, trade or occupation, in connection with which and as a necessity for carrying on or conducting such business, trade or occupation, she shall be the owner of any personal property for which she shall pay any tax, or shall be actually occupied as a public school teacher, and shall have been awarded and shall hold a state certificate of a public school teacher, shall be entitled to vote in the township, ward or election precinct where she may reside."

The amendment was lost.

The resolution was then adopted.

The ayes and noes being required, it was decided in the affirmative: ayes, 19; noes, 11; not voting, 3.

The vote was as follows:

*Ayes* — Senators Anderson, Bennett, Dering, Griffin, Grimmer, Houghton, Hyde, Kellogg, McGrew, Morgan, Paul, Price, Quarles, Ryland, Scott, Thomas, Van Steenwyk, Weaver and Woodman—19.

*Noes* — Senators Burrows, Carter, Fifield, Haben, Kelly, McFetridge, Rankin, Richardson, Sacket, Smith and Van Schaick — 11.

*Not voting* — Senators Blackstone, Chipman and Sutherland—3.

Senator Bennett moved that the vote by which the resolution was adopted, be reconsidered, and that that motion be laid on the table,

Which motion prevailed.

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## REPORTS OF COMMITTEES.

The committee on State Affairs, to whom was referred  
No. 257, S.,

A bill to authorize the secretary of state to purchase sketches of the surviving members of the constitutional convention,

Have had the same under consideration, and report it back with the recommendation that it be indefinitely postponed.

No. 308, A.,

A bill to amend section 4564 of chapter 185 of the revised statutes of 1878, entitled of fish and game,

With the recommendation that it be non-concurred in.

No. 213, A.,

A bill to authorize the supervisors of the county of Oconto to borrow money to be used for the purpose of paying the present indebtedness of said county,

With the recommendation that it be concurred in.

GEO. B. BURROWS,  
*Chairman.*

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The committee on Town and County Organization, to whom was referred

No. 290, A.,

A bill to change the boundary lines and name of the county of New, and to perfect its organization as the county of Langlade,

Have had the same under consideration, and have instructed me to report the same back without recommendation.

CHAS. L. DERING,  
*Chairman.*

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The committee on Education, to whom was referred

No. 226, A.,

A bill for the establishment of a state normal school in the fourth congressional district of Wisconsin,

Have had the same under consideration, and have instructed me to report the same back with amendment and without further recommendation.

EDWIN E. WOODMAN,  
*Chairman.*

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The joint committee on Claims to, whom was referred

No. 92, S.,

A bill to appropriate to the Wisconsin State Hospital for the Insane certain sums of money to defray current expenses, and for special purposes,

Have had the same under consideration, and report it back with amendments, and recommend the passage of the bill when so amended.

No. 94, S.,

A bill to appropriate to the Northern Hospital for the Insane certain sums of money for current expenses, and for special purposes,

With the recommendation that it do pass.

WM. T. PRICE,  
*Chairman.*

The committee on Federal Relations, to whom was referred  
M. C. No. 5, S.,

Relating to the calling of a national convention for the purpose  
of framing a national constitution, to be submitted to the popular  
vote,

Together with the communication from William Welch, Esq.,  
submitting petition of Wm. G. Dix for a national convention, to  
revise the constitution of the United States,

Have had the same under consideration, and instruct me to  
report as follows:

That your committee fully appreciate the importance of the  
questions involved in this memorial and petition, and that the time  
may come when it will become necessary to take the action con-  
templated by this memorial; but your committee doubt the pro-  
priety at the present time of providing for the holding of a conven-  
tion for the purposes mentioned, and therefore recommend that  
the memorial be indefinitely postponed.

M. GRIFFIN,  
*Chairman.*

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The committee on Judiciary, to whom was referred  
No. 10, S.,

A bill to repeal sections 1623, 1624 and 1625 of chapter 72 of  
the revised statutes of 1878, relating to taxation of dogs,

No. 229, A.,

A bill to amend section 3774 of chapter 161 of the revised stat-  
utes of 1878, relating to fees of justices,

No. 175, S.,

A bill construing section 1210 e of the revised statutes of 1878,  
entitled of taxation,

No. 329, A.,

A bill to regulate the liabilities of villages in cases therein  
named,

Have had the same under consideration, and instruct me to  
report the same back with the recommendation that they be  
indefinitely postponed.

No. 82, A.,

A bill relating to offenses against property, and to amend section  
4449 of the revised statutes,

With the recommendation that the same be concurred in.

No. 254, A.,

A bill in relation to the sale of intoxicating liquors,

No. 361, A.,

A bill relating to the compensation of county judges in certain  
cases,

With amendments, and recommend that they be concurred in  
when so amended.

H. E. HOUGHTON,  
*Chairman.*

The committee on Finance, Banks and Insurance, to whom was referred

So much of the governor's message as relates to "the interest, finances, receipts, indebtedness, estimates and expenditures,"

Have had the same under consideration, and have instructed me to submit the following estimates of receipts and expenditures for the year 1881, and also to report the accompanying bill for the levying of a state tax for the present year, and recommend its passage.

G. VAN STEENWYK,  
*Chairman.*

## ESTIMATE OF EXPENDITURES AND REVENUES.

Pursuant to the requirement of subdivision 13 of section 144, revised statutes, I submit the following detailed estimate of expenditures to be defrayed from the treasury during the year beginning January 1, 1881, based on the disbursements in former years, in which are shown the amounts provided by permanent or temporary appropriations, and the amount required to be provided for. I also submit a careful estimate of the revenues from which such expenditures are to be defrayed:

### EXPENDITURES.

#### 1. SALARIES AND PERMANENT APPROPRIATIONS.

Governor's office.....	\$6,600 00	
Lieutenant Governor.....	1,000 00	
Secretary of State's office.....	7,000 00	
State Treasurer's office.....	7,000 00	
Attorney General's office.....	5,000 00	
State Superintendent's office.....	5,500 00	
Railroad Commissioner's office.....	5,000 00	
Superintendent of Public Property.....	2,000 00	
Supreme Court, salaries.....	25,000 00	
Circuit Court, salaries.....	36,000 00	
Supreme Court Reporter.....	3,000 00	
State Library and Librarian.....	3,000 00	
State Historical Society.....	8,500 00	
State Board of Charities.....	3,000 00	
State Board of Health.....	4,200 00	
State Board of Immigration.....	2,500 00	
State Militia.....	10,000 00	
State University.....	43,897 18	
Free High Schools.....	25,000 00	
Normal Institutes.....	2,000 00	
		\$205,197 18

#### 2. LEGISLATIVE EXPENSES.

Salaries of Senators.....	\$11,900 00
Salaries of Members of Assembly.....	85,350 00
Mileage.....	8,500 00
Officers and employes.....	27,000 00
Printing.....	4,500 00

Newspapers .....	\$2,700 00	
Postage .....	3,800 00	
Blue Book .....	3,000 00	
Incidentals .....	4,500 00	
	<hr/>	\$98,250 00

## 3. INTEREST.

On State Indebtedness .....	\$156,870 00	
Due School Fund Income.....	7,088 36	
	<hr/>	\$163,958 36

## 4. CHARITABLE INSTITUTIONS.

State Hospital for Insane. ....	\$80,000 00	
Northern Hospital for Insane.....	85,000 00	
Institution for the Blind.....	20,000 00	
Institution for the Deaf and Dumb.....	35,000 00	
Industrial School for Boys .....	35,000 00	
	<hr/>	\$255,000 00

## 5. CLERKS AND EMPLOYEES.

Secretary of State's office....	\$10,900 00	
State Treasurer's office .....	7,000 00	
School Land office .....	12,000 00	
Superintendent of Public Property.....	1,500 00	
Supreme Court.....	2,500 00	
Engineers and Watchmen .....	7,000 00	
Janitors and Messengers.....	8,000 00	
Laborers about Capitol.....	5,000 00	
Protecting State lands.....	6,000 00	
	<hr/>	\$59,900 00

## 6. MISCELLANEOUS.

State Printing.....	\$22,000 00	
Purchase of Paper .....	7,000 00	
Stationery .....	7,500 00	
Postage ....	4,000 00	
Advertising Lands .....	2,000 00	
Publishing Laws .....	16,000 00	
Gas and Fuel .....	7,500 00	
Agricultural Societies.....	9,000 00	
Fish Culture.....	8,000 00	
Contingent expenses .	15,000 00	
Special Appropriations and Miscellaneous Ex- penses.....	90,000 00	
	<hr/>	\$188,000 00

Total.....	<hr/>	\$968,305 54
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## REVENUES.

Railway Companies, licenses.....	\$395,000 00	
Insurance Companies, licenses.....	45,000 00	
Telegraph Companies, licenses.....	2,500 00	
Plankroad Companies, licenses.....	100 00	
Hawkers and Peddlers, licenses .....	7,000 00	
State Tax on Suits.....	6,000 00	
Miscellaneous Fees.....	14,000 00	
	<hr/>	\$469,600 00

TAXES AUTHORIZED BY LAW.

Interest on State Indebtedness.....	\$156,870 00	
Interest due School Fund Income.....	7,088 36	
Annual levy for State University.....	43,897 18	
		<u>\$207,855 54</u>
		<u>\$677,455 54</u>
To be provided for by the Legislature.....		\$290,850 00
Appropriations in excess of above estimates.....		161,808 00
		<u>\$452,658 00</u>

	<i>Estimated.</i>	<i>Appropriated.</i>
Institute for Blind .....	\$20,000 00	\$19,723 43
Institute for Deaf and Dumb .....	35,000 00	114,000 00
Industrial School for Boys .....	35,000 00	19,967 00
Industrial School for Girls .....		15,000 00
Board of Immigration.....		2,000 00
Fish Commission.....	8,000 00	2,000 00
Milwaukee County Insane Asylum.....		75,000 00
	<u>\$98,000 00</u>	<u>\$247,690 43</u>
State Hospital for Insane.....	80,000 00	121,900 00
Northern Hospital for Insane.....	85,000 00	55,218 00
	<u>\$263,000 00</u>	<u>\$424,808 43</u>

BILLS INTRODUCED.

By the committee on Finance, Banks and Insurance:  
No. 270, S.,  
A bill to provide for a state tax for the year 1880.  
Referred to the general file and ordered printed.

The committee on Judiciary, to whom was referred  
No. 24, S.,  
A bill relating to non-registered voters, and amendatory of section 42 of the revised statutes of 1878,  
Have had the same under consideration and instruct me to report the same back with amendments, and recommend that it pass when so amended.  
H. E. HOUGHTON,  
Chairman.

The committee on Enrolled Bills have examined and find correctly enrolled:  
No. 202, S.,  
A bill to amend section 12 of chapter 84 of the private and local

laws of 1864, entitled an act to incorporate the Black River Improvement Company, approved February 23, 1864.

W. T. PRICE,  
*Chairman pro tem.*

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### REPORTS OF SELECT COMMITTEES.

The select committee consisting of the senators from Milwaukee county, to which was referred

No. 102, S.,

A bill to amend sections 1546, 1547 and 1786 of chapters 65 and 86 of the revised statutes, relating to industrial schools and commitments thereto,

Have had the same under consideration, and respectfully report the same back with amendment, and recommend that the same be concurred in when so amended.

GEO. H. PAUL,  
I. W. VAN SCHAICK,  
EDWIN HYDE,  
*Committee.*

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The select committee to whom was referred

Jt. Res. No. 16, S.,

Joint resolution to amend the constitution,

Has had the same under consideration, and reports the same back with the recommendation that the same be concurred in.

Your committee would prefer that the proposed amendment was wider in its scope, and more general in its application, believing that the whole liquor traffic is a national disgrace, and fraught with consequences destructive and degrading.

That the exemption of beer and native wines from the operation of the proposed amendment is on a parallel with saying that disease and death may be encouraged in a mild form, but not otherwise; that murder, perjury or robbery should be encouraged on a small scale, but should not be permitted to any considerable extent; that small snakes shall be encouraged to live, and the rearing of them be made a legitimate industry, while larger reptiles shall be placed under the ban of the law.

But if this legislature is unable to take a robust, manly stride toward good government, good order, domestic peace and material prosperity, your committee would encourage even this halting, tottering step upwards towards a purer political existence, remembering that "Heaven is not gained by a single bound," but that

"We build the ladder by which we rise from the lowly earth to the vaulted skies, round by round."

W. T. PRICE,  
*Select Committee.*

The special committee consisting of the senators from Milwaukee county, to whom was referred

No. 49, S.,

A bill to add certain territory to the city of Milwaukee, and to erect a new ward in said city,

No. 153, S.,

A bill relating to Milwaukee Industrial School for girls,

Have had the same under consideration, and respectfully report the same back with the recommendation that they be indefinitely postponed.

GEO. H. PAUL,  
I. W. VAN SCHAICK, •  
EDWIN HYDE,  
*Committee.*

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### BILLS READY FOR A THIRD READING.

No. 52, S.,

A bill for the protection of brook trout in the state of Wisconsin,

No. 83, S.,

A bill relating to railroads, and to amend section 1839 of the revised statutes, in relation to execution and recording of conveyances of railroad corporations,

No. 182, S.,

A bill to provide for draining wet or swamp lands and lead or coal mines,

No. 236, S.,

A bill in relation to killing game for scientific purposes,

No. 244, S.,

A bill to amend section 4564 of chapter 185 of the revised statutes of 1878, entitled of offenses against public policy,

No. 249, S.,

A bill to amend section 1570 of chapter 67 of the revised statutes of 1878, relating to peddlers,

Were severally read a third time and passed.

No. 171, S.,

A bill to fix a salary for sheriffs,

Was read a third time and passed.

The ayes and noes being demanded, it was decided in the affirmative; ayes 20; noes 4; not voting 9.

The vote was as follows:

*Ayes* — Senators Bennett, Carter, Dering, Griffin, Grimmer, Houghton, Kellogg, McFetridge, McGrew, Morgan, Paul, Price, Quarles, Richardson, Ryland, Scott, Thomas, Van Steenwyk, Weaver and Woodman — 20.

*Noes* — Senators Haben, Kelly, Rankin and Smith — 4.

*Not voting* — Senators Anderson, Blackstone, Burrows, Chipman, Fifield, Hyde, Sacket, Sutherland and Van Schaick — 9.

No. 243, S,  
A bill pertaining to and amendatory of the charter of the city of Milwaukee,  
Was read a third time and passed, and  
The clerk was instructed to correct the title to correspond with the body of the bill.

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BILLS ON THEIR THIRD READING.

No. 107, A.,  
A bill to authorize John Redmond, his associates and assigns, to maintain a dam across, and otherwise improve Hay creek, in Chippewa county, Wisconsin,  
No. 239, A.,  
A bill to amend section 1623 of the revised statutes, relating to dogs, and exempting Washington county therefrom,  
No. 374, A.,  
A bill to amend chapter 133 of the revised statutes of 1878, entitled of actions of ejectment,  
Were severally ordered to a third reading.  
The amendments to  
No. 5, A.,  
A bill to authorize James W. Heather and James McGee to build and maintain dams in the Deer Tail, a branch of the Chippewa river,  
Were adopted.  
On motion of Senator Griffin,  
The rules were suspended, and the bill was read a third time and passed.  
The amendments to  
No. 301, A.,  
A bill to authorize Thos. J. La Flesh, his associates and assigns, to build and maintain certain dams on the east fork of Black river, in the counties of Wood, Clark and Jackson,  
No. 316, A.,  
A bill to lay out and establish a state road from the village of Cumberland, in Barron county, to the village of Deer Park, in St. Croix county,  
Were adopted, and the bills were severally ordered to a third reading.  
No. 363, A.,  
A bill to repeal section 1816 of chapter 87 of the revised statutes of 1878, entitled of railroads.  
Senator Griffin offered the following amendment:  
Amend the bill by striking out the word "occurred," where the same occurs in the sixth line of section 1, and inserting in lieu thereof the word "accrued."  
The amendment was adopted.  
Senator Anderson moved to lay the bill aside until to-morrow.  
The motion was lost.

Senator Kellogg moved the previous question,

A sufficient number not seconding,

The motion to the previous question was not ordered.

The bill was then ordered to a third reading.

The ayes and noes being demanded, it was decided in the affirmative: ayes, 17; noes, 9; not voting, 7.

The vote was as follows:

*Ayes* — Senators Bennett, Burrows, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, Morgan, Price, Quarles, Ryland, Scott, Thomas, Van Schaick, Van Steenwyk and Woodman — 17.

*Noes* — Senators Anderson, Carter, Kelly, McFetridge, McGrew, Paul, Rankin, Richardson and Weaver — 9.

*Not voting* — Senators Blackstone, Chipman, Dering, Fifield, Sacket, Smith and Sutherland — 7.

Senator Dering, who would have voted no, was paired with Senator Sacket.

Senator Quarles moved that all rules interfering with the passage of the bill be suspended.

The motion was lost.

The ayes and noes being demanded, two thirds not having voted for the suspension, it was decided in the negative: ayes, 16; noes, 11; not voting, 6.

The vote was as follows:

*Ayes* — Senators Burrows, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, Price, Quarles, Richardson, Ryland, Scott, Thomas, Van Schaick, Van Steenwyk and Woodman — 16.

*Noes* — Senators Anderson, Bennett, Carter, Kelly, McFetridge, McGrew, Morgan, Paul, Rankin, Smith and Weaver — 11.

*Not voting* — Senators Blackstone, Chipman, Dering, Fifield, Sacket and Sutherland — 6.

No. 132, A.,

A bill to amend section 670, chapter 36, of the revised statutes, relating to special powers of county boards of supervisors,

No. 187, A.,

A bill to re-establish a municipal court in Rock county,

No. 271, A.,

A bill to appropriate to D. G. Cheever, of Rock county, a sum of money therein named,

No. 344, A.,

A bill relating to the taking of lands for canal purposes, and amendatory of sections 2 and 6 of the general laws of 1877,

Were severally indefinitely postponed.

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On motion of Senator Bennett,

The senate took a recess until 7:30 P. M.

7: 30 o'CLOCK P. M.

The senate met.

President *pro tem.* Scott in the chair.

The roll was called, and the following senators answered to their names:

Senators Anderson, Bennett, Carter, Dering, Griffin, Grimmer, Haben, Hyde, Kellogg, McFetridge, McGrew, Morgan, Paul, Price, Richardson, Sacket, Scott, Smith, Thomas, Van Schaick, Van Steenwyk and Weaver.

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### LEAVES OF ABSENCE.

Indefinite leave of absence was granted

To Senator Kelly after this evening's session.

To Senator Weaver after to-morrow morning's session.

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### REPORTS OF SPECIAL COMMITTEES.

The special committee consisting of the senators of the county of Milwaukee, to whom was referred

No. 241, S.,

A bill to establish the superior court of Milwaukee county, to repeal the civil jurisdiction of the county court of said county and to provide salaries for the judges of said superior and county courts.

No. 54, S.,

A bill to authorize county judges to draw papers in certain cases,

No. 175, S.,

A bill to amend section 2455 of chapter 114 of the revised statutes of 1878, entitled of county courts,

Have had the same under consideration, and recommend that they be indefinitely postponed.

EDWIN HYDE,  
GEORGE H. PAUL,  
I. W. VAN SCHAICK,  
*Committee.*

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### MESSAGE FROM THE ASSEMBLY.

By J. E. ELDBRED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has passed, and asks concurrence of the senate in passage of

No. 23, A.,

A bill to establish a ferry across the Mississippi river at the village of Casville, Grant county, Wisconsin,

No. 170, A.,

A bill relating to the annual inspection of the Bayfield rifles,

No. 116, A.,

A bill to amend chapter 43 of the laws of 1878, entitled an act to amend section 6 of chapter 121 of the laws of Wisconsin for the year 1876, entitled an act relating to the preparation, publication and distribution of the final report of the geological survey,

And has concurred with the senate in

No. 181, S.,

A bill to amend chapter 231 of the laws of 1876, entitled an act to amend and re-enact as amended, chapter 333 of the laws of 1875, entitled an act to amend chapter 16 of the private and local laws of 1872, entitled an act to incorporate the city of Eau Claire, so as to authorize the construction of water works by and for said city,

No. 267, S.,

A bill to provide for the settlement of accounts against the state for care of insane persons,

No. 155, S.,

A bill to correct and fix the boundaries between the county of New and the county of Shawano, and for the separate organization of the county of New, and to repeal such portions of sections 12, 13, 14 and 15 of chapter 114 of the general laws of 1879, as conflict with this act,

No. 39, S.,

A bill to promote the development of the unsettled portions of northern Wisconsin and to encourage the building of railroads therein,

No. 76, S.,

A bill to provide for the incorporation of religious societies in connection with Congregational churches,

And has indefinitely postponed

No. 169, S.,

A bill to amend section 1795 of revised statutes, relating to corporations,

And has adopted, and asks concurrence of senate in,

Jt. Res. No. 32, A.,

Asking the governor to return to the assembly No. 223, A., for correction,

And has amended, and concurred in as amended,

No. 260, S.,

A bill to authorize the commissioners of public lands to loan a portion of the trust funds of the state to the city of Green Bay, Brown county, Wisconsin.

And has concurred with the senate in the passage of

No. 190, S.,

A bill to authorize Oscar F. Knapp and Chas. E. Mears to keep and maintain a ferry across the St. Croix river between the town of Osceola Mills, Wisconsin, and Minnesota,

No. 191. S.,

A bill to repeal sections 5 and 6 of chapter 192 of the general laws of 1879, in relation to game,

No. 60, S.,

A bill to provide for the inspection of illuminating oils manufactured from petroleum or coal oils, and to regulate the sale thereof, and to repeal section 4359 of chapter 181, revised statutes of 1878,

And has amended, and concurred in as amended,

No. 264, S.,

A bill to provide for the transfer of insane persons from jails and poor houses to state and county asylums,

And has refused to order to a third reading,

No. 38, S.,

A bill to appropriate to Dodge county a sum of money therein named,

No. 258, S.,

A bill to appropriate to Wood county a sum of money therein named,

No. 146, S.,

A bill to appropriate to the county of Kenosha a certain sum of money therein named,

And has indefinitely postponed

No. 152, S.,

A bill amendatory of chapter 217, laws of 1874, entitled an act to appropriate to James Reynolds and John Fellenz a sum of money therein named, and to authorize them to bring an action against the state for the amount of their claim not covered by such appropriation,

And has concurred in senate amendments to

No. 244, A.,

A bill to prevent the adulteration of food and medicine, and to provide for analyzing the same,

No. 247, A.,

A bill relating to and amendatory of section 1391 of chapter 55, entitled of fences,

No. 286, A.,

A bill to authorize Abel Neff to build a dam on Prairie river,

No. 370, A.,

A bill to prevent the manufacturers of lumber, lath or shingles from throwing slabs, edgings, trimmings of lumber or shingles, or saw dust, into the Wisconsin river, or any of its tributaries,

No. 94, A.,

A bill providing for the disposal of redemption money remaining in the hands of county clerks more than six years,

No. 206, A.,

A bill to prohibit unauthorized companies and agents from transacting the business of insurance in this state, and relating to the business of insurance,

No. 345, A.,

A bill relating to attachments, and amendatory of section 2731 of the revised statutes,

No. 150, A.,

A bill to amend chapter 127 of laws of 1874, entitled an act to incorporate the city of Menasha,

No. 398, A.,

A bill to ratify, confirm and make valid the acts and contracts of the state timber agent therein named.

And has concurred in

No. 56, S.,

A bill for the preservation of fish in Dell creek,

No. 192, S.,

A bill to amend chapter 171 of private and local laws of 1868, entitled an act to incorporate the Wisconsin River Improvement Company, and to amend chapter 298 of laws of 1876. amendatory thereof,

No. 211, S.,

A bill to amend chapter 2 of chapter 72 of the private and local laws of 1858, entitled an act to incorporate the city of Ripon,

No. 262, S.,

A bill to regulate the disbursement of public money in certain cases, and prescribing penalties for misappropriation thereof.

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#### ASSEMBLY MESSAGE CONSIDERED.

The assembly amendments to

Nos. 260 and 264, S.,

Were concurred in.

On motion of Senator Thomas,

The rules were suspended, and

No. 273, A.,

Was read a third time and concurred in.

The ayes and noes being demanded, it was decided in the affirmative: ayes, 17; noes, 5; not voting, 11.

The vote was as follows:

*Ayes* — Senators Anderson, Bennett, Carter, Griffin, Grimmer, Haben, Hyde, Kellogg, Kelly, McGrew, Morgan, Paul, Price, Scott, Smith, Thomas and Van Schaick — 17.

*Noes* — Senators Dering, Richardson, Sacket, Van Steenwyk and Weaver — 5.

*Not voting* — Senators Blackstone, Burrows, Chipman, Fifield, Houghton, McFetridge, Quarles, Rankin, Ryland, Sutherland and Woodman — 11.

Nos. 23, 170, and 116, A.,

Were referred to the General File.

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On motion of Senator Van Steenwyk,

The rules were suspended, and

No. 270, S.,

A bill to provide for a state tax for the year 1880,

Was read a third time and passed.

The ayes and noes being required, it was decided in the affirmative: ayes, 22; noes, 0; not voting, 11.

The vote was as follows:

*Ayes* — Senators Anderson, Bennett, Carter, Dering, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, Kelly, McFetridge, McGrew, Morgan, Paul, Price, Richardson, Scott, Thomas, Van Schaick, Van Steenwyk and Weaver — 22.

*Noes* — None.

*Not voting* — Senators Blackstone, Burrows, Chipman, Fifield, Quarles, Rankin, Ryland, Sacket, Smith, Sutherland and Woodman — 11.

No. 290, A.,

Was recommitted to a select committee consisting of Senator Grimmer.

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On motion of Senator Hyde,

No. 226, A.,

Was taken up.

The amendment was adopted.

Senator Scott moved to indefinitely postpone the bill.

The motion was lost.

The ayes and noes being demanded, it was decided in the negative: ayes, 12; noes, 14; not voting, 7.

The vote was as follows:

*Ayes* — Senators Dering, Fifield, Griffin, Houghton, Price, Rankin, Richardson, Ryland, Scott, Thomas, Van Steenwyk and Woodman — 12.

*Noes* — Senators Anderson, Bennett, Grimmer, Hyde, Kelly, McFetridge, McGrew, Morgan, Paul, Quarles, Sacket, Smith, Van Schaick and Weaver — 14.

*Not voting* — Senators Blackstone, Burrows, Carter, Chipman, Haben, Kellogg and Sutherland — 7.

The question being on ordering the bill to a third reading,

The motion prevailed.

The ayes and noes being demanded, it was decided in the affirmative: ayes, 15; noes, 12; not voting, 6.

The vote was as follows:

*Ayes* — Senators Anderson, Bennett, Grimmer, Hyde, Kellogg, Kelly, McFetridge, McGrew, Morgan, Paul, Quarles, Sacket, Smith, Van Schaick and Weaver — 15.

*Noes* — Senators Dering, Fifield, Griffin, Houghton, Price, Rankin, Richardson, Ryland, Scott, Thomas, Van Steenwyk and Woodman — 12.

*Not voting* — Senators Blackstone, Burrows, Carter, Chipman, Haben and Sutherland — 6.

Senator Hyde moved that the rules be suspended, and the bill be put upon its passage.

Two-thirds not voting in the affirmative, the motion was lost.

The vote was as follows:

*Ayes* — Senators Anderson, Bennett, Grimmer, Hyde, Kellogg, Kelly, McFetridge, McGrew, Morgan, Paul, Quarles, Sacket, Smith, Van Schaick and Weaver — 15.

*Noes* — Senators Dering, Fifield, Griffin, Haben, Houghton, Price, Rankin, Richardson, Ryland, Scott, Thomas, Van Steenwyk and Woodman — 13.

*Not voting* — Senators Blackstone, Burrows, Carter, Chipman and Sutherland — 5.

Senator Richardson moved that all rules interfering with the present consideration of No. 363, A., be suspended.

The motion prevailed.

The ayes and noes being required, it was decided in the affirmative: ayes, 23; noes, 6; not voting, 4.

The vote was as follows:

*Ayes* — Senators Bennett, Dering, Fifield, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, Kelly, McGrew, Morgan, Paul, Price, Quarles, Richardson, Ryland, Scott, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman — 23.

*Noes* — Senators Anderson, Carter, McFetridge, Rankin, Sacket and Smith — 6.

*Not voting* — Senators Blackstone, Burrows, Chipman and Sutherland — 4.

The bill was then read a third time and passed.

The ayes and noes being demanded, it was decided in the affirmative: ayes 15; noes 12; not voting 6.

The vote was as follows:

*Ayes* — Senators Bennett, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, Morgan, Price, Quarles, Ryland, Scott, Van Schaick, Van Steenwyk and Woodman — 15.

*Noes* — Senators Anderson, Carter, Dering, Kelly, McFetridge, McGrew, Paul, Rankin, Richardson, Sacket, Smith and Weaver — 12.

*Not voting* — Senators Blackstone, Burrows, Chipman, Fifield, Sutherland and Thomas — 6.

On motion of Senator Fifield,  
The rules were suspended, and  
No. 170, A.,

Was read a third time and concurred in.

### BILLS ON THEIR THIRD READING.

M. C. No. 11, A.,

A memorial to congress praying for an equalization of soldiers' bounties,

M. C. No. 18, A.,

Memorial to congress relating to the improvement of the Mississippi river and tributaries,

Were concurred in.

M. C. No. 10, A.,

Memorial to Wisconsin delegation in congress relative to "Reagan bill,"

Was indefinitely postponed.

## BILLS ON THEIR ENGROSSMENT AND THIRD READING.

The amendments to

No. 21, S.,

A bill to authorize Elijah Swift, his heirs and assigns, to erect and maintain a dam across Mud brook,

Were adopted.

On motion of Senator Fifield,

The rules were suspended, and the bill was read a third time and passed, and the clerk was instructed to correct the title to correspond with the body of the bill.

No. 45, S.,

A bill to amend section 4560 of the revised statutes of 1878, entitled of fish and game.

Senator Sacket offered the following amendment to the amendment reported by the committee:

Amend the amendment by adding to the end of section one the following words: "And all lakes in Green Lake, Marquette, Waushara and Dodge counties.

The amendment to the amendment was adopted.

The amendment was then adopted.

Senator Bennett offered the following amendment:

Amend by adding to the end of section one the words "Jefferson and Waukesha."

The amendment was adopted, and the bill was then ordered engrossed and read a third time.

No. 145, S.,

A bill in relation to swamp lands in the counties of Marathon, Chippewa, Clark, Shawano, Oconto and Marinette,

The question being on the adoption of the amendments reported by the committee,

Senator Thomas offered the following amendments:

Amend the amendment by inserting after the word "unsold," in the twenty-eighth line, the words "patented to the state prior to January 1, 1880;" and by adding at the end of said section, "Provided, further, that no lands shall be granted or disposed of by virtue of this act, patented to the state after January 1, 1880."

The amendment to the amendment was adopted.

Senator Anderson offered the following amendment to the amendment:

Amend amendment, by inserting after the word "construction," in the fourth line from the end of section 1, the following: "And equipment of a railroad through said county and not before;" and erase the words "through such county" following said word "construction" in the original bill.

The amendment to the amendment was adopted.

The amendment as amended was then adopted, and the bill was ordered engrossed and read a third time.

The ayes and noes being demanded, it was decided in the affirmative: ayes, 14; noes, 7; not voting, 12.

The vote was as follows:

*Ayes* — Senators Fifield, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, Kelly, McFetridge, Rankin, Scott, Thomas, Van Schaick and Van Steenwyk — 14.

*Noes* — Senators Anderson, Carter, Dering, McGrew, Morgan, Price, Richardson and Smith — 8.

*Not voting* — Senators Bennett, Blackstone, Burrows, Chipman, Paul, Quarles, Ryland, Sacket, Sutherland, Weaver and Woodman — 11.

Senator Woodman (who would have voted no) was paired with Senator Sacket.

On motion of Senator Kellogg,

The rules were suspended, and the bill was read a third time and passed.

The ayes and noes being demanded, it was decided in the affirmative: ayes, 15; noes, 7; not voting, 11.

The vote was as follows:

*Ayes* — Senators Fifield, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, Kelly, McFetridge, McGrew, Richardson, Scott, Thomas, Van Schaick and Van Steenwyk — 15.

*Noes* — Senators Anderson, Carter, Dering, Morgan, Price, Smith and Weaver — 7.

*Not voting* — Senators Bennett, Blackstone, Burrows, Chipman, Paul, Quarles, Rankin, Ryland, Sacket, Sutherland and Woodman — 11.

The amendments to

No. 206, S.,

A bill to authorize John A. Humbird, Wm. H. Phipps, P. B. Jewell and their associates and assigns, to construct and maintain a boom in the St. Croix Lake,

Were adopted.

On motion of Senator Fifield,

The rules were suspended, and the bill was read a third time and passed.

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On motion of Senator Sacket,  
The senate adjourned.

SATURDAY, MARCH 13, 1880.

The senate met.

President *pro tem.* Scott in the chair.

Prayer by the Rev. Mr. Winn.

The roll was called, and the following senators answered to their names:

Senators Anderson, Bennett, Burrows, Carter, Dering, Fifield, Griffin, Grimmer, Hyde, McFetridge, McGrew, Morgan, Paul, Price, Rankin, Richardson, Scott, Smith, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman.

The journal of yesterday was approved.

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#### LEAVES OF ABSENCE.

Indefinite leave of absence was granted to Senators Houghton, Fifield, Kellogg and Anderson.

And leave was granted to Senators Morgan and Bennett until Monday evening.

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#### LETTERS, PETITIONS, Etc.

Presented and referred.

By Senator Price:

Pet. No. 207, S.,

Of 45,000 citizens of Wisconsin in favor of Jt. Res. No. 16, A.,  
on the liquor traffic.

To General File.

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#### RESOLUTIONS INTRODUCED.

By Senator Richardson:

Res. No. 32, S.,

*Resolved*, That the superintendent of public property be and he is hereby authorized to turn over to the sergeant-at-arms of the

senate five copies of volume 2 and one chart, and five copies of volume 3 and four charts, of the Geological Survey Reports.

Adopted.

By Senator Bennett:

Res. No. 33, S.,

*Resolved*, That a committee of three senators whose term of office does not expire until 1882, be appointed by the president of the senate, with power to send for persons and papers, who shall immediately proceed to examine and investigate the financial business, and general management and condition of the State Hospital for the Insane, and shall report to the governor the result of such examination and investigation, on or before January 1, 1881.

Objection being made,

The resolution was ruled out of order.

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### REPORTS OF COMMITTEES.

The committee on Engrossed Bills have examined and find correctly engrossed,

No. 145, S.,

A bill in relation to swamp lands in the counties of Marathon, Chippewa, Clark, Shawano, Oconto and Marinette.

EDWIN E. WOODMAN,

*Chairman pro tem.*

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The committee on Enrolled Bills have examined and find correctly enrolled:

No. 6, S.,

A bill for the prevention of cruelty to minors,

No. 161, S.,

A bill to allow the city of Waupaca to sell its public square and appropriate the money arising therefrom to the purchase of a new site and the building of a new court house; also allow the county of Waupaca to release their lease upon the public square or a part thereof held by its lease,

No. 63, S.,

A bill relating to writs of mandamus and prohibition, and amendatory of section 3452 of the revised statutes of 1878,

No. 172, S.,

A bill to amend section 1797 of the revised statutes, in relation to the salary of the clerk of the railroad commissioner,

M. C. No. 6, S.,

To the postmaster general for the establishment of a daily mail between the villages of Excelsior, Richland county, and Muscoda, Grant county,

No. 77, S.,

A bill to promote good order and repress crime,

No. 98, S.,

A bill to authorize the St. Paul & Chicago Short Line Railway Company to construct a bridge on Lake St. Croix,

No. 250, S.,

A bill to amend section 129 of chapter 11 of the revised statutes, entitled of state officers,

No. 223, S.,

A bill relating to and amendatory of the charter of the city of Portage,

No. 117, S.,

A bill to amend section 20 of chapter 5 of the revised statutes of 1878, entitled of electors and general elections,

No. 227, S.,

A bill to amend section 2731 of the revised statutes of 1878, relating to proceedings by attachment.

W. T. PRICE,

*Chairman pro tem.*

The committee on Charitable and Penal Institutions, to whom was referred

No. 163, S.,

A bill to appropriate to the Northern Hospital for the Insane a certain sum of money therein named,

Have had the same under consideration, and have instructed me to report that a bill of similar import has already been reported on favorably, and that the appropriation asked for in the bill is unnecessary, and recommend that it be indefinitely postponed.

H. RICHARDSON,

*Chairman.*

On motion of Senator Richardson,

The rules were suspended and the bill was indefinitely postponed.

The committee on Enrolled Bills have examined and find correctly enrolled:

No. 167, S.,

A bill to consolidate and amend an act entitled an act to incorporate the city of Madison, and the several acts amendatory thereof,

WM. T. PRICE,

*Chairman pro tem.*

The committee on Enrolled Bills have examined and find correctly enrolled,

No. 155, S.,

A bill to correct and fix the boundaries between the county of Langlade and the county of Shawano, and to repeal such portions of sections 12 and 13 of chapter 114 of the general laws of 1879 as conflict with this act.

WM. T. PRICE,

*Chairman pro tem.*

## EXECUTIVE COMMUNICATION.

STATE OF WISCONSIN,  
*Executive Department,*  
MADISON, *March 13, 1880.*

*To the honorable the senate:*

The following entitled bills, originating in the senate, have been approved, signed and deposited in the office of the secretary of state:

No. 55, S.,

An act to amend the articles of association of the Chicago, Milwaukee & St. Paul Railway Company,

No. 114, S.,

An act to authorize Thos. B. Scott, his associates and assigns, to build a dam or dams on Prairie river, Lincoln county, Wisconsin,

No. 149, S.,

An act to preserve and promote the public health in the city of Milwaukee,

No. 151, S.,

An act to confer certain police powers upon agents of the Wisconsin Humane Society,

No. 179, S.,

An act to authorize Delos R. Moon, his associates or assigns, to improve Muskrat river, a tributary of the Eau Claire river, in the county of Eau Claire,

No. 180, S.,

An act to authorize Delos R. Moon, his associates or assigns, to improve Otter creek, a tributary of Wolf river, in the counties of Clark and Chippewa,

No. 86, S.,

An act to amend section 4565 of the revised statutes, relating to certain game,

No. 189, S.,

An act to grant to the North Wisconsin Railway Company the optional right to grade forty miles of its railway during the year 1880, in lieu of completing twenty miles thereof during said year, and to define its rights and duties in a contingency therein named,

No. 196, S.,

An act to improve Hay creek, a branch of the Eau Claire river, in the county of Clark, and for driving logs out of said creek,

No. 221, S.,

An act to amend section 731 of the revised statutes, relating to sheriffs' fees,

No. 226, S.,

An act relating to fees and costs, and to amend the revised statutes of 1878,

No. 228, S.,

An act to amend chapter 407 of the private and local laws of 1868, entitled an act to enable the city of Kenosha to readjust and fund its indebtedness,

No. 240, S.,

An act to amend chapter 89, laws of 1877, entitled an act to incorporate the city of Chilton,

No. 111, S.,

An act to authorize A. B. McDonell, his associates and assigns, to build and maintain a dam across, and otherwise improve, Pine creek, in Price county, Wisconsin,

No. 29, S.,

An act to amend chapter 34 of the revised statutes, entitled of the militia, and the act amendatory thereof, and to provide for the greater efficiency of the Wisconsin National Guard,

No. 136, S.,

An act to authorize D. P. Simons, his associates and assigns, to construct and maintain a dam across and otherwise improve Butternut creek, in Price county, Wisconsin,

No. 67, S.,

An act to provide for the appointment of register of probate of the county court of Milwaukee county, and for other purposes,

No. 134, S.,

An act to amend chapter 231 of the laws of 1876, entitled an act to amend and re-enact, as amended, chapter 333 of the laws of 1875, entitled an act to amend chapter 16 of the private and local laws of 1872, entitled an act to incorporate the city of Eau Claire so as to authorize the construction of water works by and for said city,

No. 178, S.,

An act to authorize Delos R. Moon, his associates or assigns, to improve Wolf river, a tributary of the north fork of the Eau Claire river, in the counties of Clark, Chippewa and Eau Claire,

No. 229, S.,

An act to appropriate to R. R. Fellows a sum of money therein named.

WILLIAM E. SMITH.

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### MESSAGE FROM THE ASSEMBLY.

By J. E. ELDRED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly recedes from its concurrence in senate amendments to

No. 223, A.,

A bill to legalize the acts of the Linden Town Mutual Fire Insurance Company in Iowa county, and the Otsego and Springvale Insurance Company of Columbia county,

And has amended, and concurred in as amended,

No. 145, S.,

bill in relation to the swamp lands in the counties of Marathon, Clark, Shawano, in the county of Oconto, south of south line of township 31, and in the county of Chippewa, south of the south line of township 34.

## ASSEMBLY MESSAGE CONSIDERED.

The assembly amendments to  
No. 145, S.,  
Were concurred in.

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## RESOLUTIONS CONSIDERED.

Jt. Res. No. 16, S.,  
Joint resolution to amend the constitution,  
Was refused adoption.

The ayes and noes being required, it was decided in the negative: ayes, 12; noes, 14; not voting, 7.

The vote was as follows:

*Ayes* — Senators Dering, Fifield, Griffin, Grimmer, Houghton, Hyde, McGrew, Price, Scott, Thomas, Van Steenwyk and Woodman — 12.

*Noes* — Senators Anderson, Bennett, Burrows, Carter, Haben, Kellogg, McFetridge, Morgan, Paul, Rankin, Richardson, Smith, Van Schaick and Weaver — 14.

*Not voting* — Senators Blackstone, Chipman, Kelly, Quarles, Ryland, Sacket and Sutherland — 7.

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## BILLS READY FOR A THIRD READING.

No. 107, A.,

A bill to authorize John Redmond, his associates and assigns, to maintain a dam across, and otherwise improve, Hay creek, in the county of Chippewa,

No. 239, A.,

A bill to extend the time for proving and filing claims against the Wisconsin Railroad Farm Mortgage Land Company.

No. 245, A.,

A bill authorizing the towns of Hortonia and Liberty, in Outagamie county, to construct a bridge across Wolf river,

No. 374, A.,

A bill to amend chapter 133 of the revised statutes of 1878, entitled of actions of ejectment,

No. 301, A.,

A bill to authorize Thos. J. La Flesh, his associates and assigns, to build and maintain certain dams on the east fork of Black river, in the counties of Wood, Clark and Jackson,

No. 316, A.,

A bill to lay out and establish a state road from the village of Cumberland, in Barron county, to the village of Deer Park, in St. Croix county,

M. C. No. 11, A.,

A memorial to congress praying for an equalization of soldiers' bounties,

M. C. No. 18, A.,

Memorial to congress relating to the improvement of the Mississippi river and tributaries,

Were severally read a third time and concurred in.

No. 213, A.,

A bill to authorize the supervisors of the county of Oconto to borrow money for the purpose of paying the present indebtedness of the county,

No. 308, A.,

A bill to amend section 4564 of the revised statutes of 1878, entitled of fish and game,

Were non-concurred in.

No. 229, A.,

A bill to amend section 3774 of chapter 161 of the revised statutes of 1878, relating to fees of justices,

No. 329, A.,

A bill to compel all owners of dams used to assist in driving logs upon the upper Wolf river and its tributaries, above Shawano, to open said dams from the 15th of July in each year until the 15th day of November of the same year,

Were indefinitely postponed.

On motion of Senator Rankin,

The rules were suspended, and

Nos. 23, 82, 116, 254, 333 and 361, A.,

Were severally read a third time and concurred in.

On motion of Senator Rankin,

The rules were suspended, and

No. 386, A.,

Was read a third time and concurred in.

The ayes and noes being required, it was decided in the affirmative: ayes 23; noes 0; not voting 10.

The vote was as follows:

*Ayes* — Senators Anderson, Bennett, Burrows, Dering, Fifield, Griffin, Grimmer, Houghton, Hyde, Kellogg, McFetridge, McGrew, Morgan, Paul, Price, Richardson, Scott, Smith, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman — 23.

*Noes* — None.

*Not voting* — Senators Blackstone, Carter, Chipman, Haben, Kelly, Quarles, Rankin, Ryland, Sacket and Sutherland — 10.

No. 226, A.,

A bill for the establishment of a state normal school in the fourth congressional district of Wisconsin,

Was read a third time and concurred in.

The ayes and noes being demanded, it was decided in the affirmative: ayes, 14; noes, 10; not voting, 9.

The vote was as follows:

*Ayes* — Senators Bennett, Burrows, Carter, Grimmer, Hyde, Kellogg, McFetridge, McGrew, Morgan, Paul, Smith, Van Schaick, Weaver and Woodman — 14.

*Noes* — Senators Anderson, Dering, Griffin, Houghton, Price, Rankin, Richardson, Scott, Thomas and Van Steenwyk — 10.

*Not voting* — Senators Blackstone, Chipman, Fifield, Haben, Kelly, Quarles, Ryland, Sacket and Sutherland — 9.

No. 218, S.,

A bill relating to the board of state canvassers, and amendatory of section 58 of chapter 5 of the revised statutes of 1878,

Was read a third time and passed,

The ayes and noes being required, it was decided in the affirmative: ayes, 21; noes, none; not voting, 12.

The vote was as follows:

*Ayes* — Senators Bennett, Burrows, Dering, Fifield, Griffin, Grimmer, Haben, Houghton, Kellogg, McFetridge, McGrew, Paul, Price, Rankin, Richardson, Scott, Smith, Thomas, Van Schaick, Van Steenwyk and Woodman — 21.

*Noes* — None.

*Not voting* — Senators Anderson, Blackstone, Carter, Chipman, Hyde, Kelly, Morgan, Quarles, Ryland, Sacket, Sutherland and Weaver — 12.

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#### BILLS ON THEIR THIRD READING.

No. 23, A.,

A bill to establish a ferry across the Mississippi river at the village of De Soto, Vernon county, Wisconsin,

No. 82, A.,

A bill to amend section 4449 of the revised statutes of Wisconsin,

No. 116, A.,

A bill providing for the payment of redemption money by the county clerks to the county treasurers,

No. 386, A.,

A bill to appropriate to J. G. Hellemolt a certain sum of money therein named,

No. 333, A.,

A bill to amend chapter 50 of the revised statutes of 1878, entitled of lands sold for taxes,

Were severally ordered to a third reading.

The amendments to

No. 254, A.,

A bill in relation to the sale of intoxicating liquors,

No. 361, A.,

A bill relating to the compensation of county judges in certain cases,

Were adopted, and the bills were severally ordered to a third reading.

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#### BILLS ON THEIR ENGROSSMENT AND THIRD READING.

No. 94, S.,

A bill to appropriate to the Northern Hospital for the Insane certain sums of money for current expenses, and for special purposes,

Was ordered engrossed and read a third time.

The amendments to

No. 92, S.,

A bill to appropriate to the Wisconsin State Hospital for the Insane certain sums of money to defray current expenses, and for special purposes,

Were adopted.

Senator Hyde offered the following amendment:

Amend by striking out all after section 1, and inserting the following:

Section 2. There is also appropriated out of any money in the general fund, not otherwise appropriated, the sum of thirty-five hundred and eleven dollars to pay the indebtedness of the institution, created by the enlargement, furnishing for, and support of the patients provided for.

Section 3. This act shall take effect and be in force from and after its passage and publication.

Senator Rankin offered the following amendment to the amendment:

Amend the amendment by inserting at the end of section 2 the following words: "Heretofore contracted without express authority of law."

The amendment to the amendment was adopted.

The ayes and noes being demanded, it was decided in the affirmative: ayes, 14; noes, 8; not voting, 11.

The vote was as follows:

*Ayes* — Senators Bennett, Carter, Dering, Grimmer, Haben, Hyde, McGrew, Rankin, Richardson, Smith, Thomas, Van Steenwyk, Weaver and Woodman — 14.

*Noes* — Senators Burrows, Fifield, Griffin, Houghton, McFetridge, Price, Scott and Van Schaick — 8.

*Not voting* — Senators Anderson, Blackstone, Chipman, Kellogg, Kelly, Morgan, Paul, Quarles, Ryland, Sacket and Sutherland — 11.

The amendment as amended was adopted, and the bill was ordered engrossed and read a time.

On motion of Senator Price,

The rules were suspended, and

Nos. 92 and 94, S.,

Were read a third time and passed.

The ayes and noes being required,

The vote on No. 92, S., was as follows: ayes 23; noes 1; not voting 9.

*Ayes* — Senators Bennett, Burrows, Dering, Fifield, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, McFetridge, McGrew, Paul, Price, Rankin, Richardson, Scott, Smith, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman — 23.

*Noes* — Senator Carter — 1.

*Not voting* — Senators Anderson, Blackstone, Chipman, Kelly, Morgan, Quarles, Ryland, Sacket and Sutherland — 9.

The vote on No. 94, S., was as follows:

*Ayes* — Senators Bennett, Burrows, Carter, Dering, Fifield, Griffin, Grimmer, Haben, Houghton, Hyde, Kellogg, McFetridge,

McGrew, Paul, Price, Rankin, Richardson, Scott, Smith, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman — 24.

*Noes* — None.

*Not voting* — Senators Anderson, Blackstone, Chipman, Kelly, Morgan, Quarles, Ryland, Sacket and Sutherland — 9.

No. 10, S.,

A bill to repeal sections 1623, 1624 and 1625 of chapter 72 of the revised statutes of 1878, relating to taxation of dogs,

No. 17, S.,

A bill to amend section 2455 of chapter 114 of the revised statutes of 1878, entitled of county courts,

No. 49, S.,

A bill to add certain territory to the city of Milwaukee, and to erect a new ward in said city,

No. 54, S.,

A bill to authorize county judges to draw papers in certain cases,

No. 102, S.,

A bill to amend sections 1546, 1547 and 1786 of chapters 65 and 86 of the revised statutes, relating to industrial schools and commitments thereto,

No. 153, S.,

A bill relating to Milwaukee Industrial School for girls,

No. 175, S.,

A bill construing section 1210 e of the revised statutes of 1878, entitled of taxation,

No. 241, S.,

A bill to establish the superior court of Milwaukee county, to repeal the civil jurisdiction of the county court of said county, and to provide salaries for the judges of said superior and county courts,

No. 257, S.,

A bill to authorize the secretary of state to purchase sketches of the surviving members of the constitutional convention,

M. C. No. 5, S.,

Relating to the calling of a national convention for the purpose of framing a national constitution, to be submitted to the popular vote,

Were severally indefinitely postponed.

The amendments to

No. 24, S.,

A bill relating to non-registered voters, and amendatory of section 24 of the revised statutes of 1878,

Were adopted, and the bill was ordered engrossed and read a third time.

On motion of Senator Richardson, the vote by which the assembly amendments to No. 264, S.,

Were concurred in, was reconsidered.

The ayes and noes being demanded, it was decided in the affirmative: ayes, 16; noes, 7; not voting, 10.

The vote was as follows:

*Ayes* — Senators Dering, Fifield, Grimmer, Haben, Houghton,

McFetridge, McGrew, Morgan, Price, Rankin, Richardson, Sacket, Scott, Thomas, Van Steenwyk and Woodman — 16.

*Noes* — Senators Griffin, Hyde, Kellogg, Paul, Smith, Van Schaick and Weaver — 7.

*Not voting* — Senators Anderson, Bennett, Blackstone, Burrows, Carter, Chipman, Kelly, Quarles, Ryland and Sutherland — 10.

Senator Richardson called for a separate vote on the amendments,

The 1st, 2d and 4th amendments

Were concurred in.

The 3d amendment

Was non-concurred in.

No. 264, S.,

A bill to provide for the transfer of insane persons from jails and poor houses to state and county asylums,

Was ordered engrossed and read a third time.

The rules were suspended, and the bill read a third time and passed.

No. 269, S.,

A bill to provide for the withdrawing from market and sale of lands, and for other purposes,

With pending amendments,

Was recommitted to a select committee consisting of Senators Richardson, Price and Paul.

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On motion of Senator Rankin,

The senate took a recess until 2:30 P. M.

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2:30 o'Clock P. M.

The senate met.

President *pro tem.* Scott in the chair.

The calling of the roll was dispensed with.

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#### BILLS ON THEIR ENGROSSMENT AND THIRD READING.

No. 162, S.,

A bill to amend the charter of Wausau Boom Company,

Was indefinitely postponed.

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#### LEAVES OF ABSENCE.

Indefinite leave of absence was granted to Senators Grimmer, Thomas, Van Steenwyk and Richardson after to-day's session.

## REPORTS OF COMMITTEES.

The committee on Engrossed Bills have examined and find correctly engrossed:

No. 21, S.,

A bill to amend chapter 24 of the general laws of 1870, entitled an act to incorporate the Superior Boom Company,

No. 45, S.,

A bill to amend section 4560 of the revised statutes of 1878, entitled of fish and game,

No. 206, S.,

A bill to authorize John A. Humbird, Wm. H. Phipps, P. B. Jewell, and their associates and assigns, to construct and maintain a boom in the St. Croix lake,

No. 24, S.,

A bill relating to nonregistered voters, and amendatory of section 24 of the revised statutes of 1878.

EDWIN E. WOODMAN,  
*Chairman pro tem.*

On motion of Senator Rankin,  
The rules were suspended, and

No. 24, S.,

Was read a third time and passed.

No. 45, S.,

Was indefinitely postponed.

## REPORTS OF SELECT COMMITTEES.

The select committee of three, to whom was referred

No. 102, S.,

A bill to amend sections 1546, 1547 and 1786 of the revised statutes, relating to industrial schools,

Have had the same under consideration, and instructed me to report it back with the recommendation that it be indefinitely postponed.

H. RICHARDSON,  
*Chairman.*

On motion of Senator Rankin,  
The rules were suspended, and

No. 102, S.,

Was indefinitely postponed.

## MESSAGE FROM THE ASSEMBLY.

By J. E. ELDBRED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has concurred in the passage of

M. C. No. 9, S.,

Memorial to congress for an appropriation to pay awards for flowage caused by the United States, in the construction and maintenance of the Fox and Wisconsin improvement,

No. 94, S.,

A bill to appropriate to the Northern Hospital for the Insane, certain sums of money for current expenses and special purposes.

And has amended, and concurred in as amended,

No. 244, S.,

A bill to amend section 4564 of chapter 185 of the revised statutes of 1878, entitled of offenses against public policy,

No. 182, S.,

A bill to provide for draining wet or swamp lands and lead or coal mines,

And has indefinitely postponed

No. 249, S.,

A bill to amend section 1570 of chapter 67 of the revised statutes of 1878, relating to peddlers.

And has concurred in senate amendments to

No. 226, A.,

A bill for the establishment of a state normal school in the fourth congressional district of Wisconsin,

No. 301, A.,

A bill to authorize Thomas La Flesh to maintain dams on the east fork of Black river, in the counties of Wood, Clark and Jackson,

No. 316, A.,

A bill to lay out and establish a state road from the village of Cumberland, in Barron county, to the village of Deer Park, in St. Croix county,

And has concurred with the senate in the passage of

No. 92, S.,

A bill to appropriate to the Wisconsin State Hospital for the Insane certain sums of money to defray current expenses and for certain purposes,

No. 270, S.,

A bill to provide for state tax for the year 1880,

No. 243, S.,

A bill pertaining to and amendatory of chapter 184 of the laws of 1874, entitled an act to revise, consolidate and amend the charter of the city of Milwaukee, approved February 20, 1852, and the several acts amendatory thereof, approved March 10, 1874,

No. 52, S.,

A bill for the protection of brook trout in the state of Wisconsin,

No. 83, S.,

A bill to amend section 1833 of chapter 87 of the revised statutes of 1878, entitled of railroads,

And has concurred in senate amendments to

No. 5, A.,

A bill to authorize James W. Heather and James McGee and their assigns, to build and maintain a dam across that branch of the Chippewa river, in Chippewa county, called the Deer Tail.

## ASSEMBLY MESSAGE CONSIDERED.

The assembly amendments to  
Nos. 244 and 182, S.,  
Were concurred in.

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## RESOLUTION INTRODUCED.

By Senator Griffin:

Res. No. 33, S.,

*Resolved*, That 500 copies of the report of the committee on Finance, Banks and Insurance, on 54, A., be printed for distribution.  
Adopted.

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On motion of Senator Rankin,  
The senate adjourned.

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MONDAY, MARCH 15, 1880.  
10 O'CLOCK A. M.

The senate met.

President *pro tem*. Scott in the chair.

The calling of the roll was dispensed with.

Senator McGrew called to the chair.

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## RESOLUTIONS INTRODUCED.

By Senator Price:

Res. No. 35, S.,

*Resolved*, That the assembly be requested to return No. 333, A., for amendment,  
Which was adopted.

Said bill having been returned,

Senator Price moved that the vote by which the bill was concurred in be reconsidered.

The motion prevailed.

Senator Price offered the following amendment:

Amend section 7 by adding to said section the following words:  
"And in section 1210e of said chapter, so far as said section relates to tax deeds."

The amendment was adopted, and the bill as amended concurred in.

Senator Burrows called to the chair.

By Senator McFetridge: ———

Res. No. 36, S.,

*Resolved*, That the journal of March 9th be corrected so as to show that Jt. Res. No. 9, S., amending sections 4, 5, 11 and 21 of the constitution of the state of Wisconsin, was amended so as to read as follows:

Jt. Res. No. 9, S.,

Amending sections No. 4, 5, 11 and 21 of article 4 of the constitution of this state, so as to read as follows:

Section 4. The members of the assembly shall be chosen biennially by single districts on the Tuesday succeeding the first Monday of November after the adoption of this amendment by the qualified electors of the several districts, such districts to be bounded by county, precinct, town or ward lines, to consist of contiguous territory, and to be in as compact form as practicable.

That section 5 of article IV of the constitution of this state be amended so as to read as follows:

Section 5. The senators shall be elected by single districts of convenient contiguous territory, at the same time and in the same manner as members of the assembly are required to be chosen, and no assembly district shall be divided in the formation of a senate district. The senate districts shall be numbered in the regular series, and the senators shall be chosen alternately from the odd and even numbered districts.

The senators elected or holding over at the time of the adoption of this amendment shall continue in office until their successors are duly elected and qualified; and after the adoption of this amendment, all senators shall be chosen for the term of four years.

That section 11 of article IV of the constitution of this state be amended so as to read as follows:

Section 11. The legislature shall meet at the seat of government at such time as shall be provided by law once in two years, and no oftener, unless convened by the governor in special session, and when so convened, no business shall be transacted except as shall be necessary to accomplish the special purposes for which it was convened. That section 21, article IV of the constitution of the state be amended so as to read as follows:

Section 21. Each member of the legislature shall receive for his services for and during a regular session the sum of five hundred dollars, and ten cents for every mile he shall travel in going to and returning from the place of meeting of the legislature on the most usual route, in case of an extra session of the legislature.

No additional compensation shall be allowed to any member thereof, either directly or indirectly, except for mileage, to be computed at the same rate as for a regular session. No stationery, newspapers, postage, or other perquisites, except the salary and mileage above provided, shall be received from the state by any member of the legislature, for his services, or in any other manner as such member.

The resolution as amended was then adopted: ayes, 24; noes, 8; not voting, 1.

The vote was as follows:

*Ayes* — Senators Bennett, Blackstone, Carter, Dering, Haben, Houghton, Hyde, Kelly, McFetridge, McGrew, Morgan, Paul, Quarles, Richardson, Ryland, Sacket, Scott, Smith, Sutherland, Thomas, Van Schaick, Van Steenwyk, Weaver and Woodman — 24.

*Noes* — Senators Anderson, Burrows, Fifield, Griffin, Grimmer, Kellogg, Price and Rankin — 8.

*Not voting* — Senator Chipman — 1.

*Be it further resolved*, That the clerk be instructed to enter said joint resolution at length, with the vote thereon, upon the journal, as and for said 9th day of March, on the journal of March 15, 1880.

Adopted.

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### REPORTS OF COMMITTEES.

The committee on Enrolled Bills, have examined and find correctly enrolled:

No. 192, S.,

A bill to amend chapter 171 of the private and local laws of 1868, entitled an act to incorporate the Wisconsin River Improvement Company, and to amend chapter 298 of the laws of 1876, amendatory thereof,

No. 244, S.,

A bill to amend section 4564 of chapter 185 of the revised statutes of 1878, entitled of offenses against public policy,

No. 145, S.,

A bill in relation to the swamp lands in the counties of Marathon, Clark and Shawano, in the county of Oconto south of the south line of township thirty-one, and in the county of Chippewa south of the south line of township thirty-four,

No. 94, S.,

A bill to appropriate to the Northern Hospital for the Insane, certain sums of money for current expenses and special purposes,

No. 83, S.,

A bill to amend section 1833, chapter 87, revised statutes of 1878, entitled of railroads,

No. 243, S.,

A bill pertaining to and amendatory of chapter 184 of the laws of 1874, entitled an act to revise, consolidate and amend the charter of the city of Milwaukee, approved February 20, 1852, and the several acts amendatory thereof, approved March 10, 1874,

No. 270, S.,

A bill to provide for a state tax for the year A. D. 1880,

No. 60, S.,

A bill to provide for the inspection of illuminating oils manufactured from petroleum or coal oils, and to regulate the sale thereof, and to repeal section 4359 of chapter 181, revised statutes of 1878,

No. 116, S.,

A bill to amend section 1926, chapter 89 of the revised statutes of 1878, entitled of insurance corporations,

No. 92, S.,

A bill to appropriate to the Wisconsin State Hospital for the Insane certain sums of money to defray current expenses, and for special purposes,

No. 58, S.,

A bill relative to assessments for water pipes in the city of Milwaukee, and amendatory of sections 15, 16 and 17 of chapter 10 of chapter 184 of the laws of 1874,

No. 260, S.,

A bill to authorize the commissioners of public lands to loan a portion of the trust funds of the state to the city of Green Bay, Brown county, Wisconsin,

M. C. No. 9, S.,

For an appropriation to pay awards for flowage caused by the United States in the construction and maintenance of the Fox and Wisconsin River Improvement,

No. 194, S.,

A bill to authorize the commissioners of public lands to loan a portion of the trust funds of the state to the county of Lincoln,

No. 263, S.,

A bill to authorize the secretary of state to subscribe for biographical sketches of members of the constitutional conventions of 1846 and 1847-8;

No. 81, S.,

A bill to amend section 4395 of the revised statutes of 1878, entitled of offenses against the lives and persons of individuals,

No. 125, S.,

A bill relating to offenses against the lives and persons of individuals, and amendatory of section 4389, chapter 181, revised statutes of 1878,

Jt. Res. No. 9, S.,

Resolution amending sections 4, 5, 11 and 21, article 4 of the constitution of the state of Wisconsin,

No. 148, S.,

A bill to provide for the collection of statistics of pauperism and crime,

No. 217, S.,

A bill to amend the subdivision entitled additional powers of peculiar corporations, of chapter 86 of the revised statutes of Wisconsin, entitled of the organization of corporations.

No. 191, S.,

A bill to repeal sections 5 and 6 of chapter 192 of the general laws of 1879, in relation to game,

No. 56, S.,

A bill for the preservation of fish in Dell creek,

No. 39, S.,

A bill to promote the development of the unsettled portions of northern Wisconsin and to encourage the building of railroads therein,

No. 82, S.,

A bill to repeal sections 592 and 594 of revised statutes of 1878, relating to public charities, and to amend section 593, R. S. 1878, and to prescribe the procedure for committing persons to the insane hospitals,

No. 183, S.,

A bill relating to the equalization of assessments,

No. 181, S.,

A bill to amend chapter 231 of the laws of 1876, entitled an act to amend and re-enact as amended, chapter 333 of the laws of 1875, entitled an act to amend chapter 16 of the private and local laws of 1872, entitled an act to incorporate the city of Eau Claire, so as to authorize the construction of water works by and for said city,

No. 267, S.,

A bill to provide for the settlement of accounts against the state for care of insane persons,

No. 141, S.,

A bill to authorize the commissioners of public lands to loan a portion of the trust funds of the state to the town of Lorraine, in the county of Polk,

No. 239, S.,

A bill to authorize mutual hail insurance companies of other states to do business in this state,

No. 190, S.,

A bill to authorize Oscar F. Knapp and Chas. E. Mears to keep and maintain a ferry across the St. Croix river between the town of Osceola Mills, Wisconsin, and Minnesota,

No. 233, S.,

A bill to authorize the commissioners of public lands to loan a portion of the trust funds of the state to the town of Lincoln, in the county of Trempealeau,

No. 76, S.,

A bill to provide for the incorporation of religious societies in connection with Congregational churches,

No. 182, S.,

A bill to provide for draining wet or swamp lands and lead or coal mines,

No. 262, S.,

A bill to regulate the disbursement of public money in certain cases, and prescribing penalties for misappropriation thereof,

WM. T. PRICE,

*Chairman pro tem.*

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### LEAVES OF ABSENCE.

Indefinite leave of absence was granted to Senators Sacket and Bennett.

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On motion of Senator McGrew,  
The senate took a recess until 2:30.

2:30 o'CLOCK P. M.

The senate met.

Senator Burrows in the chair.

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### RESOLUTIONS INTRODUCED.

By Senator Van Schaick:

Res. No. 38, S.,

*Resolved*, That his excellency, the governor, s hereby requested to adopt immediate and effectual measures for the complete and permanent expulsion from this capitol of all noxious and deleterious atmosphere, for the total abrogation of all direct or remote causes of the presence of such atmosphere, and for the preservation of the life, and the promotion of the health and convenience of future members of the legislature and other inmates of this building; and to that end we advise and request him to obtain such scientific aid and counsel as the urgency and necessity of the case imperatively demand.

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A recess of twenty minutes was taken.

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3:30 o'CLOCK P. M.

Senate called to order by Senator Burrows.

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### REPORTS OF COMMITTEES.

The committee on Charitable and Penal Institutions, to whom was referred that portion of the governor's message relating to the Charitable and Penal Institutions of this state,

Have had the same under consideration, and have instructed me to report by resolution.

By committee on Charitable and Penal Institutions:

Res. No. 39, S.,

*Resolved*, That a committee of three be appointed by the president of the senate, to consist of senators whose term of office does not expire before the 31st day of December, 1881, whose duty it shall be to immediately investigate the affairs of the Wisconsin State Hospital for the Insane.

Said committee shall have power to send for persons and papers, administer oaths, employ such expert assistance as it may deem necessary, and shall report by bill or otherwise, with their account and expenses incurred in such investigation, to the next legislature of this state.

H. RICHARDSON,  
*Chairman.*

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President *pro tem.* Scott assumed the chair.  
The resolution was ruled out of order.

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The committee on Enrolled Bills have examined and find correctly enrolled,

No. 259, S.,

A bill relating to the charter of the city of Green Bay, and amendatory of section 3, chapter 1, of chapter 262 of the laws of 1875, of section 10 of chapter 3 of said chapter 262, of chapter 6 of said chapter 262, of sections 9, 11, 12, 13 and 17 of chapter 10 of said chapter 262, and of section 1 of chapter 2 of said chapter 262. Also repealing sections 20, 21, 22, 23, 27, 30, 31 and 33 of said chapter 10 of said chapter 262, sections 12 and 15 of chapter 179 of the laws of 1876, section 2 of chapter 126 of the laws of 1877, and section 1 of chapter 161 of the general laws of 1878. Also re-enacting section 14 of chapter 2 of chapter 462 of the laws of 1875,

No. 52, S.,

A bill for the protection of brook trout in the state of Wisconsin,  
No. 211, S.,

A bill to amend chapter 2 of chapter 72 of the private and local laws of 1858, entitled an act to incorporate the city of Ripon,

GEO. E. SUTHERLAND,  
*Chairman.*

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On motion of Senator Burrows,  
The senate took a recess till 7:30 P. M.

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7:30 o'CLOCK P. M.

The senate met.  
President *pro tem.* Scott in the chair.

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#### LEAVES OF ABSENCE.

Indefinite leave of absence was granted to Senator Smith.

## RESOLUTIONS INTRODUCED.

By Senator Griffin:

Jt. Res. No. 20, S.,

*Resolved by the senate, the assembly concurring,* That the governor be and he is hereby requested to return to the senate for further consideration Nos. 270, A., and 260, A., and 184, A.

Adopted.

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On motion of Senator McGrew,  
Senate took a recess of twenty minutes.

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7:50 o'clock P. M.

The senate met.

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## RESOLUTION INTRODUCED.

By Senator Burrows:

Jt. Res. No. 21, S.,

*Resolved by the senate, the assembly concurring,* That his excellency the governor be and he is hereby respectfully requested to return to the senate for further consideration,

No. 167, S.,

A bill to consolidate and amend an act entitled an act to incorporate the city of Madison, and the several acts amendatory thereof,

Adopted.

By Senator Woodman:

Res. No. 41, S.,

*Resolved,* That the senate journal of March 12, 1880, be corrected by spreading upon the same the full text of Jt. Res. No. 12, A., where it is recorded that said resolution was taken up for action and adopted.

Adopted.

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## JOINT RESOLUTION

Proposing an amendment to section 1 of article III of the constitution of Wisconsin, relating to suffrage.

*Resolved by the assembly, the senate concurring,* That section 1 of article III of the constitution of Wisconsin be amended so as to read as follows:

Section 1. Every person of the age of twenty-one years or upwards, belonging to the following classes, who shall have resided in this state for one year, and in the town, ward or election precinct for ten days next preceding any election, shall be declared a qualified elector at such election:

1st. Citizens of the United States.

2d. Persons of foreign birth who shall have declared their intention to become citizens conformably to the laws of the United States on the subject of naturalization, and the wives or widows of such persons.

3d. Persons of Indian blood who have once been declared by law of congress to be citizens of the United States, any subsequent law of congress to the contrary notwithstanding.

4th. Civilized persons of Indian descent, not members of any tribe; provided, that the legislature may, at any time, extend by law the right of suffrage to persons not herein enumerated, but no such law shall be in force until the same shall have been submitted to a vote of the people at a general election, and approved by a majority of all the votes cast at such election.

5th. The legislature may prescribe appropriate rules and regulations for determining the qualifications of electors under this article, and to prevent abuse of the elective franchise.

The resolution was adopted.

The ayes and noes being required, it was decided in the affirmative: ayes, 19; noes, 11; not voting, 3.

The vote was as follows:

*Ayes* — Senators Anderson, Bennett, Dering, Griffin, Grimmer, Houghton, Hyde, Kellogg, McGrew, Morgan, Paul, Price, Quarles, Ryland, Scott, Thomas, Van Steenwyk, Weaver and Woodman—19.

*Noes* — Senators Burrows, Carter, Fifield, Haben, Kelly, McFetridge, Rankin, Richardson, Sacket, Smith and Van Schaick — 11.

*Not voting* — Senators Blackstone, Chipman and Sutherland—3.

Senator Bennett moved that the vote by which the resolution was adopted be reconsidered, and that that motion be laid on the table.

Which motion prevailed.

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### REPORTS OF COMMITTEES.

The committee on State Affairs, to whom was referred

It. Res. No. 30, A.,

Providing for a final adjournment of the legislature,

Would respectfully report the same back with a substitute as an amendment, and recommend concurrence when so amended.

G. B. BURROWS,  
E. C. McFETRIDGE,  
MATT. ANDERSON.

*Committee.*

The amendment was adopted, and

The resolution as amended concurred in.

## EXECUTIVE COMMUNICATION.

STATE OF WISCONSIN,  
*Executive Department,*  
 MADISON, *March 15, 1880.*

*To the honorable the senate:*

I have the honor to nominate to the senate Mrs. John J. Fairbanks, of Milwaukee, for appointment as a member of the State Board of Charities and Reform, for the residue of the term ending April 1, 1881, vice J. H. Haskins, resigned.

WILLIAM E. SMITH,  
*Governor.*

To the committee on State Affairs.

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The committee on State Affairs, to whom was referred the nomination of Mrs. John J. Fairbanks, of Milwaukee, as member of State Board of Charities and Reform, have had the same under consideration and respectfully report it back, and recommend that it be confirmed.

GEO. B. BURROWS,  
*Chairman.*

The nomination was unanimously confirmed.

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## EXECUTIVE MESSAGE.

STATE OF WISCONSIN,  
*Executive Department,*  
 MADISON, *March 15, 1880.*

*To the honorable the senate:*

Complying with the request contained in Jt. Res. No. 20, S., I have the honor to return herewith for further consideration Nos. 184, 260 and 370, A.

WILLIAM E. SMITH.

On motion of Senator Griffin,  
 The rules were suspended, and Nos. 260 and 370, A., were considered at this time.

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Senator Griffin offered the following amendment to No. 260, A.: Amend section 6 of the bill as follows: Strike out after the word "dollars" the words, "to be recovered by and for the use of such county in a civil action before any court having competent jurisdiction." Also strike out after the word "liable," in same section, the words, "in like action."

The amendment was adopted, and  
 The bill as amended was concurred in.

Senator Griffin offered the following amendment to 360, A.:

Strike out all of section 2 after the word "may" in the 4th line of the second page of the enrolled bill, and insert in lieu thereof the words "demand, sue for and collect any special damage by him sustained thereby, with cost of suit therefor."

The amendment was adopted,

And the amendment as amended was concurred in.

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### EXECUTIVE MESSAGE.

STATE OF WISCONSIN,  
*Executive Department,*  
MADISON, *March* 15, 1880.

*To the honorable the senate:*

Complying with the request contained in joint resolution No. 21, senate, I have the honor to return for further consideration bill No. 167, S., entitled a bill to consolidate and amend an act entitled an act to incorporate the city of Madison, and the several acts amendatory thereof.

WILLIAM E. SMITH.

On motion of Senator Griffin,

The rules were suspended, and the bill was considered at this time.

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Senator Griffin offered the following amendment to No. 184, A.:

Amend section 2 by striking out, in the 37th and 38th lines of the enrolled bill, the words "or make such new," and insert in lieu thereof the words "the boundaries of the." In the second line of section 11, strike out "city" and insert the word "elective."

In 13th and 14th lines of section 28, strike out the words "and military companies," and in the 15th line of said section the words "military officer."

Strike out "Title 7, opening of streets and alleys," and the whole of section 51.

In section 88, lines twenty-seven and twenty-eight, strike out the words "to the use of said city."

In section 90, lines thirty and thirty-one, strike out the words, "to the use of said city."

Strike out all of title 11, "Municipal Court," being sections 101, 102, 103, 104, 105, 106, 107, 108, 109, 110 and 111.

In section 112, in second and third lines, strike out the words "this act or."

In fourth line of said section, strike out the word "thereof" and insert "of this act."

In eighth line of said section, strike out the words "the section of this act or."

In section 113 in the second line, strike out the words "of this act," and in the twenty-first line the word "not."

In section 116, thirty-sixth and thirty-seventh lines, strike out the words "section of chapter of this act or."

In section 119, fourth line, strike out "this act or."

In section 124, third line, strike out "this act" and insert the words "any by-law or ordinance of said city."

Strike out the whole of section 124.

Renumber the "titles" and sections so as to conform to the foregoing amendments.

The amendments were adopted, and

The bill as amended concurred in.

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### MESSAGE FROM THE ASSEMBLY.

By J. E. ELDRED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has adopted Jt. Res. No. 20, requesting the governor to return to the senate bills Nos. 260, 184 and 379, A., for further consideration,

And has receded from amendment number three.

No. 264, S.,

A bill to provide for the transfer of insane persons from jails and poor houses to state and county asylums.

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Jt. Res. No. 20 was concurred in.

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### MESSAGE FROM THE ASSEMBLY.

By J. E. ELDRED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has returned for further consideration

No. 333, A.,

A bill to amend chapter 50 of the revised statutes of 1878, entitled of lands sold for taxes.

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### MESSAGE FROM THE ASSEMBLY.

By J. E. ELDRED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has concurred with the senate in the passage of

No. 269, S.,  
A bill providing for the withdrawal from market and sale, of certain state lands, and for other purposes,  
No. 218, S.,  
A bill relating to the board of state canvassers, and amendatory of section 58 of chapter 5 of the revised statutes of 1878,  
No. 21, S.,  
A bill to amend chapter 24 of the general laws of 1870, entitled an act to incorporate the Superior Boom Company,  
No. 24, S.,  
A bill relating to non-registered voters, and amendatory of section 24 of the revised statutes of 1878,  
Jt. Res. No. 21, S.,  
Requesting the governor to return to the senate No. 167, S., for further consideration,  
Res. No. 34, A.,  
Asking senate to return to the assembly for further consideration, No. 167, S.

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#### MESSAGE FROM THE ASSEMBLY.

By J. E. ELDERED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has reconsidered, amended and concurred in as amended,  
No. 167, S.,

A bill to consolidate and amend an act, entitled an act to incorporate the city of Madison, and the several acts amendatory thereof.

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The assembly amendments to 167, S.,  
Were concurred in.

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#### MESSAGE FROM THE ASSEMBLY.

By J. E. ELDERED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has concurred in the passage of

No. 206, S.,

A bill to authorize John A. Humbird, Wm. H. Phipps, P. B. Jewell and their associates and assigns, to construct and maintain a boom in the St. Croix Lake.

And has concurred in senate amendments to

No. 254, A.,

A bill in relation to the sale of intoxicating liquors,

No. 361, A.,  
A bill relating to the compensation of county judges in certain cases,  
Jt. Res. No. 30, A.,  
Providing for final adjournment of the legislature.

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### MESSAGE FROM THE ASSEMBLY.

By J. E. ELDRED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has adopted, and asks the concurrence of the senate in,

Jt. Res. No. 33, A.,  
Requesting the governor to appoint a committee of three to investigate the affairs of the Wisconsin Hospital for the Insane.

---

The question being on the adoption of the resolution,  
Senator Burrows moved that the resolution be non-concurred in.  
The motion was lost.

The ayes and noes being demanded, it was decided in the negative: ayes, 4; noes, 13; not voting, 16.

The vote was as follows:

*Ayes* — Senators Burrows, Griffin, Scott and Van Schaick — 4.

*Noes* — Senators Anderson, Bennett, Carter, Haben, Hyde, McFetridge, McGrew, Morgan, Paul, Richardson, Smith, Sutherland and Woodman — 13.

*Not voting* — Senators Blackstone, Chipman, Dering, Fifield, Grimmer, Houghton, Kellogg, Kelly, Price, Quarles, Rankin, Ryland, Sacket, Thomas, Van Steenwyk and Weaver — 16.

The resolution, on a point of order made by Senator Burrows, was laid over.

On motion of Senator Bennett,

All rules interfering with the present consideration of the resolution were suspended.

The ayes and noes being demanded, it was decided in the affirmative: ayes, 13; noes, 4; not voting, 16.

The vote was as follows:

*Ayes* — Senators Anderson, Bennett, Carter, Haben, Hyde, McFetridge, McGrew, Morgan, Paul, Richardson, Smith, Sutherland and Woodman — 13.

*Noes* — Senators Burrows, Griffin, Scott and Van Schaick — 4.

*Not voting* — Senators Blackstone, Chipman, Dering, Fifield, Grimmer, Houghton, Kellogg, Kelly, Price, Quarles, Rankin, Ryland, Sacket, Thomas, Van Steenwyk and Weaver — 16.

Senator McFetridge offered the following amendment to the resolution:

Strike out the words "that the governor be and he is hereby requested to appoint three competent and disinterested persons," and insert, "the president of the senate shall appoint three senators whose term of office expires in 1881."

The amendment was lost.

The ayes and noes being demanded, it was decided in the negative: ayes, 8; noes, 9; not voting, 16.

The vote was as follows:

*Ayes*—Senators Burrows, Griffin, McFetridge, McGrew, Smith, Sutherland, Van Schaick and Woodman — 8.

*Noes* — Senators Anderson, Bennett, Carter, Haben, Hyde, Morgan, Paul, Richardson and Scott — 9.

*Not voting* — Senators Blackstone, Chipman, Dering, Fifield, Grimmer, Houghton, Kellogg, Kelly, Price, Quarles, Rankin, Ryland, Sacket, Thomas, Van Steenwyk and Weaver — 16.

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Senator Griffin moved a

#### CALL OF THE SENATE.

The call being seconded,

The roll was called:

*Senators present* — Senators Anderson, Bennett, Burrows, Carter, Griffin, Haben, Hyde, McFetridge, McGrew, Morgan, Paul, Richardson, Scott, Smith, Sutherland, Van Schaick and Woodman.

*Senators absent without leave* — Senators Blackstone, Grimmer, Kelly, Price, Rankin, Thomas and Weaver.

*Senators absent on leave* — Senators Chipman, Dering, Fifield, Houghton, Kellogg, Quarles, Ryland, Sacket and Van Steenwyk.

On motion of Senator Burrows, further proceedings under the call were dispensed with.

The ayes and noes being required, it was decided in the affirmative: ayes, 11; noes, 2; not voting, 16.

The vote was as follows:

*Ayes* — Senators Anderson, Bennett, Carter, Haben, Hyde, McFetridge, McGrew, Morgan, Paul, Richardson, Scott, Smith, Sutherland, Van Schaick and Woodman — 15.

*Noes* — Senators Burrows and Griffin — 2.

*Not voting* — Senators Blackstone, Chipman, Dering, Fifield, Grimmer, Houghton, Kellogg, Kelly, Price, Quarles, Rankin, Ryland, Sacket, Thomas, Van Steenwyk and Weaver — 16.

Senator McFetridge offered the following amendment:

Amend by striking out all after word "resolved," and insert: The State Board of Charities and Reform are hereby instructed to examine and inquire into the workings and expenditures of the two state hospitals for the insane, and shall have power to send for persons and papers, and said board shall make their report to the governor, on or before the first day of January, 1881.

Senator Van Schaick offered the following amendment to the amendment:

Amend by adding to resolution as follows:

Provided, the three senators appointed by virtue of this resolution shall include one practical farmer, one machinist or engineer, and one physician.

The amendment to the amendment was lost.

The amendment was then lost.

Senator Bennett moved the previous question.

The previous question being seconded,

The question was: Shall the main question be now put?

The ayes and noes being required, a quorum not voting, the previous question was not ordered: ayes, 13; noes, 3; not voting, 17.

The vote was as follows:

*Ayes* — Senators Anderson, Bennett, Carter, Haben, Hyde, McFetridge, McGrew, Morgan, Paul, Richardson, Smith, Sutherland and Woodman — 13.

*Noes* — Senators Burrows, Scott and Van Schaick — 3.

*Not voting* — Senators Blackstone, Chipman, Dering, Fifield, Griffin, Grimmer, Houghton, Kellogg, Kelly, Price, Quarles, Rankin, Ryland, Sacket, Thomas, Van Steenwyk and Weaver — 17.

Senator Van Schaick moved to adjourn,

Which motion was lost.

The ayes and noes being demanded, it was decided in the negative: ayes, 1; noes, 16; not voting, 16.

The vote was as follows:

*Ayes* — Senator Burrows — 1.

*Noes* — Senators Anderson, Bennett, Carter, Griffin, Haben, Hyde, McFetridge, McGrew, Morgan, Paul, Richardson, Scott, Smith, Sutherland, Van Schaick and Woodman — 16.

*Not voting* — Senators Blackstone, Chipman, Dering, Fifield, Grimmer, Houghton, Kellogg, Kelly, Price, Quarles, Rankin, Ryland, Sacket, Thomas, Van Steenwyk and Weaver — 16.

Senator Sutherland offered the following amendment:

Amend by adding after the word "governor" the words, "from the senators whose term of office expires in 1881."

The amendment was adopted.

The ayes and noes being demanded, it was decided in the affirmative: ayes, 9; noes, 8; not voting, 16.

The vote was as follows:

*Ayes* — Senators Anderson, Burrows, Griffin, McFetridge, McGrew, Scott, Sutherland, Van Schaick and Woodman — 9.

*Noes* — Senators Bennett, Carter, Haben, Hyde, Morgan, Paul, Richardson and Smith — 8.

*Not voting* — Senators Blackstone, Chipman, Dering, Fifield, Grimmer, Houghton, Kellogg, Kelly, Price, Quarles, Rankin, Ryland, Sacket, Thomas, Van Steenwyk and Weaver — 16.

Senator Burrows moved to adjourn.

The motion was lost.

The ayes and noes being demanded, it was decided in the negative: ayes 1; noes 16; not voting 16.

The vote was as follows:

*Ayes* — Senator Griffin — 1.

*Noes* — Senators Anderson, Bennett, Burrows, Carter, Haben,

Hyde, McFetridge, McGrew, Morgan, Paul, Richardson, Scott, Smith, Sutherland, Van Schaick and Woodman — 16.

*Not voting* — Senators Blackstone, Chipman, Dering, Fifield, Grimmer, Houghton, Kellogg, Kelly, Price, Quarles, Rankin, Ryland, Sacket, Thomas, Van Steenwyk and Weaver — 16.

The resolution as amended was then adopted.

The ayes and noes being demanded, it was decided in the affirmative: ayes, 17; noes, 0; not voting, 16.

The vote was as follows:

*Ayes* — Senators Anderson, Bennett, Burrows, Carter, Griffin, Haben, Hyde, McFetridge, McGrew, Morgan, Paul, Richardson, Scott, Smith, Sutherland, Van Schaick and Woodman — 17.

*Noes* — None.

*Not voting* — Senators Blackstone, Chipman, Dering, Fifield, Grimmer, Houghton, Kellogg, Kelly, Price, Quarles, Rankin, Ryland, Sacket, Thomas, Van Steenwyk and Weaver — 16.

Senator Bennett moved that the vote by which the resolution was concurred in be reconsidered, and that that motion be laid upon the table.

Which motion prevailed.

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On motion of Senator Bennett,  
The senate took a recess of thirty minutes.

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11:30 o'CLOCK P. M.

The senate met.

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### MESSAGE FROM THE ASSEMBLY.

By J. E. ELDRED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has concurred in senate amendments to

No. 260, A.,

A bill granting to the city of Winona the right to establish, operate and maintain a ferry or ferries across the Mississippi river, in the county of Buffalo, opposite to said city.

No. 184, A.,

A bill to revise, consolidate and amend the city charter of the city of Wausau,

No. 370, A.,

A bill to prevent the manufacturers of lumber, lath or shingles from throwing slabs, edgings, trimmings of lumber or shingles, or saw dust, into the Wisconsin river, or any of its tributaries.

And has indefinitely postponed

No. 171, S.,

A bill to fix salary for sheriffs.

**MESSAGE FROM THE ASSEMBLY.**

By J. E. ELDRED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has concurred in senate amendments to

Jt. Res. No. 33, S.,

Requesting the governor to appoint a committee of three, to investigate the affairs of the Wisconsin Hospital for the Insane.

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**ASSEMBLY MESSAGE CONSIDERED.**

The resolution was concurred in.

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**MESSAGE FROM THE ASSEMBLY.**

By J. E. ELDRED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has passed, and asks the concurrence of the senate in,

Jt. Res. No. 34, A.,

Requesting the governor to return to the assembly Nos. 52 and 190, S., for further consideration.

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**ASSEMBLY MESSAGE CONSIDERED.**

The resolution was concurred in.

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**MESSAGE FROM THE ASSEMBLY.**

By J. E. ELDRED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has reconsidered and amended, and concurred in as amended,

No. 52, S.,

A bill for the protection of brook trout in the state of Wisconsin, No. 190, S.,

A bill to authorize Oscar F. Knapp and Chas. E. Mears to keep and maintain a ferry across the St. Croix river between the town of Osceola Mills, Wisconsin, and Minnesota.

The assembly amendments to  
Nos. 190 and 52, S.,  
Were concurred in.

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### RESOLUTIONS INTRODUCED.

By Senator Van Schaick:

Res. No. 42, S.,

*Resolved*, That the thanks of this senate are hereby extended to reporters for newspapers in this body the present session, for their able, intelligent and eloquent reports of proceedings.

The resolution was adopted.

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On motion of Senator Bennett,

The senate adjourned until 8:45 to-morrow morning.

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TUESDAY, MARCH 16, 1880.

8:45 o'clock A. M.

The senate met.

President *pro tem*. Scott in the chair.

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### LEAVES OF ABSENCE.

Indefinite leave of absence was granted to Senators Woodman, McGrew and Sutherland, after this morning's session.

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On motion of Senator Burrows,

The senate took a recess until 3:00 o'clock this afternoon.

3:00 o'Clock P. M.

The senate met.  
Senator Burrows in the chair.

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### LEAVES OF ABSENCE.

Indefinite leave of absence was granted  
To Senator Griffin, after this session.

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### MESSAGE FROM THE ASSEMBLY.

By J. E. ELDERED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has passed, and asks the concurrence of the senate in,  
Jt. Res. No. 35, A.,  
To provide for furnishing copies of the revised statutes to employees of the senate and assembly.

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The resolution was concurred in.

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### REPORTS OF COMMITTEES.

The committee on Enrolled Bills have examined and find correctly enrolled:

No. 21, S.,

A bill to amend chapter 24 of the general laws of 1870, entitled an act to incorporate the Superior Boom Company,

No. 206, S.,

A bill to authorize John A. Humbird, Wm. H. Phipps, P. B. Jewell, and their associates and assigns, to construct and maintain a boom in the St. Croix Lake,

No. 24, S.,

A bill relating to non-registered voters, and amendatory of section 24 of the revised statutes of 1878,

No. 269, S.,

A bill providing for the withdrawal from market and sale, of certain state lands, and for other purposes,

No. 264, S.,

A bill to provide for the transfer of insane persons from jails and poor houses to state and county asylums,

No. 190, S.,

A bill to authorize Oscar F. Knapp to keep and maintain a ferry across the St. Croix river between the town of Osceola Mills, Wisconsin, and Minnesota,

No. 218, S.,

A bill relating to the board of state canvassers, and amendatory of section 58 of chapter 5 of the revised statutes of 1878,

No. 52, S.,

A bill for the protection of brook trout in the state of Wisconsin,

No. 167, S.,

A bill to consolidate and amend an act, entitled an act to incorporate the city of Madison, and the several acts amendatory thereof.

GEO. E. SUTHERLAND,  
*Chairman.*

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On motion of Senator Anderson,  
The senate adjourned.

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WEDNESDAY, MARCH 17, 1880.

The senate met.

Senator Burrows in the chair.

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### EXECUTIVE COMMUNICATION.

STATE OF WISCONSIN,  
*Executive Department,*  
MADISON, *March 17, 1880.*

*To the honorable the senate:*

The following entitled bills, originating in the senate, have been approved, signed and deposited in the office of the secretary of state:

No. 202, S.,

An act to amend section 12 of chapter 84 of the private and local laws of 1864, entitled an act to incorporate the Black River Improvement Company, approved February 23, 1864,

No. 6, S.,

An act for the prevention of cruelty to minors,

No. 63, S.,

An act relating to writs of mandamus and prohibition, and amendatory of section 3452 of the revised statutes of 1878,

No. 77, S.,

An act to promote good order and repress crime,

No. 98, S.,

An act to authorize the St. Paul & Chicago Short Line Railway Company to construct a bridge over Lake St. Croix,

No. 117, S.,

An act to amend section 20 of chapter 5 of the revised statutes of 1878, entitled of electors and general elections,

No. 39, S.,

An act to promote the development of the unsettled portions of northern Wisconsin and to encourage the building of railroads therein,

No. 155, S.,

An act to correct and fix the boundaries between the county of Langlade and the county of Shawano, and to repeal such portions of sections 12 and 13 of chapter 114 of the general laws of 1879 as conflict with this act,

No. 161, S.,

An act to allow the city of Waupaca to sell its public square and appropriate the money arising therefrom to the purchase of a new site and the building of a new court house; also allow the county of Waupaca to release their lease upon the public square or a part thereof held by its lease,

No. 172, S.,

An act to amend section 1797 of the revised statutes, in relation to the salary of the clerk of the railroad commissioner,

No. 223, S.,

An act relating to and amendatory of the charter of the city of Portage,

No. 227, S.,

An act to amend section 2731 of the revised statutes of 1878, relating to proceedings by attachment,

No. 250, S.,

An act to amend section 129 of chapter 11 of the revised statutes, entitled of the state officers,

No. 46, S.,

An act relating to the payment of fees upon settlement of estates of deceased persons in the county of Milwaukee, and amendatory of section 2483 of the revised statutes of 1878,

No. 56, S.,

An act for the preservation of fish in Dell creek,

No. 58, S.,

An act relative to assessments for water pipes in the city of Milwaukee, and amendatory of sections 15, 16 and 17 of chapter 10 of chapter 184 of the laws of 1874,

No. 81, S.,

An act to amend section 4395 of the revised statutes of 1878, entitled of offenses against the lives and persons of individuals,

No. 82, S.,

An act to repeal sections 592 and 594 of revised statutes of 1878, relating to public charities, and to amend section 593, R. S. 1878, and to prescribe the procedure for committing persons to the insane hospitals,

No. 60, S.,

An act to provide for the inspection of illuminating oils manufactured from petroleum or coal oils, and to regulate the sale thereof, and to repeal section 4359 of chapter 181, revised statutes of 1878,

No. 83, S.,

An act to amend section 1833, chapter 87, revised statutes of 1878, entitled of railroads,

No. 92, S.,

An act to appropriate to the Wisconsin State Hospital for the Insane certain sums of money to defray current expenses and for special purposes,

No. 94, S.,

An act to appropriate to the Northern Hospital for the Insane certain sums of money for current expenses and special purposes,

No. 125, S.,

An act relating to offenses against the lives and persons of individuals, and amendatory of section 4339, chapter 181, revised statutes of 1878,

No. 141, S.,

An act to authorize the commissioners of public lands to loan a portion of the trust funds of the state to the town of Loraine, in the county of Polk,

No. 148, S.,

An act to provide for the collection of statistics of pauperism and crime,

No. 181, S.,

An act to amend chapter 231 of the laws of 1876, entitled an act to amend and re-enact as amended, chapter 333 of the laws of 1875, entitled an act to amend chapter 16 of the private and local laws of 1872, entitled an act to incorporate the city of Eau Claire, so as to authorize the construction of water works by and for said city,

No. 183, S.,

An act relating to the equalization of assessments,

No. 191, S.,

An act to repeal sections 5 and 6 of chapter 192 of the general laws of 1879, in relation to game,

No. 192, S.,

An act to amend chapter 171 of the private and local laws of 1868, entitled an act to incorporate the Wisconsin River Improvement Company, and to amend chapter 298 of the laws of 1876, amendatory thereof,

No. 194, S.,

An act to authorize the commissioners of public lands to loan a portion of the trust funds of the state to the county of Lincoln,

No. 217, S.,

An act to amend the subdivision entitled additional powers of peculiar corporations, of chapter 85 of the revised statutes of Wisconsin, entitled of the organization of corporations,

No. 239, S.,

An act to authorize mutual hail insurance companies of other states to do business in this state,

No. 243, S.,

An act pertaining to and amendatory of chapter 184 of the laws of 1874, entitled an act to revise, consolidate and amend the charter of the city of Milwaukee, approved February 20, 1852, and the several acts amendatory thereof, approved March 10, 1874,

No. 244, S.,

An act to amend section 4564 of chapter 185 of the revised statutes of 1878, entitled of offenses against public policy,

No. 260, S.,

An act to authorize the commissioners of public lands to loan a portion of the trust funds of the state to the city of Green Bay, Brown county, Wisconsin,

No. 263, S.,

An act to authorize the secretary of state to subscribe for biographical sketches of members of the constitutional conventions of 1846 and 1847-8,

No. 267, S.,

An act to provide for the settlement of accounts against the state for care of insane persons,

No. 270, S.,

An act to provide for state tax for the year 1880,

No. 211, S.,

An act to amend chapter 2 of chapter 72 of the private and local laws of 1858, entitled an act to incorporate the city of Ripon,

No. 259, S.,

An act relating to the charter of the city of Green Bay, and amendatory of section 3, chapter 1, of chapter 262 of the laws of 1875, of section 10 of chapter 3 of said chapter 262, of chapter 6 of said chapter 262, of sections 9, 11, 12, 13, 14 and 17 of chapter 10 of said chapter 262, and of section 1 of chapter 2 of said chapter 262. Also repealing sections 20, 21, 22, 23, 27, 30, 31 and 33 of said chapter 10 of said chapter 262, sections 12 and 15 of chapter 179 of the laws of 1876, section 2 of chapter 126 of the laws of 1877, and section 1 of chapter 161 of the general laws of 1878. Also re-enacting section 14 of chapter 2 of chapter 462 of the laws of 1875,

No. 76, S.,

An act to provide for the incorporation of religious societies in connection with Congregational churches,

No. 233, S.,

An act to authorize the commissioners of school and university lands to loan a portion of the trust funds to the town of Lincoln, Trempealeau county,

No. 262, S.,

An act to regulate the disbursement of public money in certain cases, and prescribing penalties for misappropriation thereof,

No. 182, S.,

An act to provide for draining wet or swamp lands and lead or coal mines,

No. 145, S.,

An act in relation to swamp lands in the counties of Marathon, Clark, Shawano, and in the county of Oconto, south of the south line of township thirty-one, and in the county of Chippewa, south of the south line of township thirty-four,

No. 116, S.,

An act to amend section 1926, chapter 89 of the revised statutes of 1878, entitled of insurance corporations,

No. 21, S.,

An act to amend chapter 24 of the general laws of 1870, entitled an act to incorporate the Superior Boom Company,

No. 52, S.,

An act for the protection of brook trout in the state of Wisconsin,

No. 190, S.,

An act to authorize Oscar F. Knapp and Charles E. Mears to keep and maintain a ferry across the St. Croix river between the town of Osceola Mills, Wisconsin, and Minnesota.

No. 206, S.,

An act to authorize John A. Humbird, Wm. H. Phipps, P. B. Jewell, and their associates and assigns, to construct and maintain a boom in the St. Croix Lake,

No. 218, S.,

An act relating to the board of state canvassers, and amendatory of section 58 of chapter 5 of the revised statutes of 1878,

No. 167, S.,

An act to consolidate and amend an act entitled an act to incorporate the city of Madison, and the several acts amendatory thereof,

No. 24, S.,

An act relating to non-registered voters, and amendatory of section 24 of the revised statutes of 1878,

No. 269, S.,

An act providing for the withdrawal from market and sale of certain state lands, and for other purposes.

WILLIAM E. SMITH.

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### MESSAGE FROM THE ASSEMBLY.

By J. E. ELDRÉD, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has laid upon the table

No. 1, S.,

A bill to regulate the practice of dentistry in the state of Wisconsin,

No. 4, S.,

A bill to permit the boards of supervisors of counties to exempt their respective counties from the provisions of sections 1623, 1624 and 1625 of the revised statutes of 1878, providing for the taxation of dogs,

No. 131, S.,

A bill to vacate a portion of a certain state road in the county of Dane.

And has concurred in senate amendments to

No. 333, A.,

A bill to amend chapter 50 of the revised statutes of 1878, entitled of lands sold for taxes.

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### MESSAGE FROM THE ASSEMBLY.

By J. E. ELDERED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has adopted, and asks concurrence of the senate in,

Jt. Res. No. 36, A.,

Appointing committee to wait upon the governor.

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Jt. Res. No. 36, A.

Senator Anderson offered the following amendment:

Strike out the word "two," where it occurs in the resolution, and insert the word "one."

The amendment was adopted, and the resolution, as amended, was concurred in.

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### MESSAGE FROM THE ASSEMBLY.

By J. E. ELDERED, chief clerk thereof.

MR. PRESIDENT:

I am directed to inform you that the assembly has concurred in senate amendment to

Jt. Res. No. 36, A.,

Appointing committee to wait upon the governor,

And has appointed Messrs. Brindley, McDill and Naber on the part of the assembly.

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Senator Anderson was called to the chair.

Senator Burrows was appointed a committee on part of the senate.

On returning from the executive office, the committee made the following report:

The joint committee appointed under Jt. Res. No. 36, A., would respectfully report that they have conferred with his excellency, the governor, in accordance with instructions received, and that the governor has informed them that he has no further communications to make.

GEO. B. BURROWS,  
*On the part of the senate.*

JOHN BRINDLEY,  
THOMAS McDILL,  
H. NABER,  
*On the part of the assembly.*

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Senator Burrows resumed the chair.

SENATORS: The hour having arrived fixed by joint resolution for the final adjournment of the legislature of 1880, and in the necessary absence of our president and president *pro tem.*, it devolves upon me to sound the gavel for the last time. But before doing so, I desire to say a parting word.

SENATORS: We have great cause to be thankful that during this session no member has been called to take that long journey from whence no traveler returns, and that God has kept us all off of Death's roff-call. It is true that one of our number lies dangerously sick; let us hope and pray that he may be soon restored to health.

SENATORS: I hope and trust that you may all reach your homes in safety, and that you may find your families and loved ones well; that your constituency may duly appreciate the value of your labors here, this winter.

Finally, senators, may you live long and abundantly prosper.

With the best wishes for both the senators and employes of this body, I now declare this senate adjourned without day.

## ERRATA.

- Page 76.** In title "Res. No. 9 S.," should read "Jt. Res. No. 9, S."  
**92.** In title "Jt. Res. No. 61, S.," should read "Jt. Res. No. 11, S."  
**91.** Citation of No. 5, S.  
**120.** "No. 148, S.,"—Senator Bennett.  
**140.** In title "M. C. No. 6, S.," should read "M. C. No. 9, S."  
**184.** In title "M. C. No. 7, A.," should read "M. C. No. 7, S."  
**185.** In title "M. C. No. 8, A.," should read "M. C. No. 8, S."  
**246.** In title "No. 86, S.," should read "No. 86, A."  
**275.** In title "No. 299, S.," should read "No. 299, A."  
**381.** In title "No. 291, A.," should read "No. 391, A."  
**348.** "No. 122, S.," should read "221, S."  
**484.** Title "No. 110, A.," read "100, A."  
**454.** Bill "146, S.," should read "No. 246, S."  
**550.** "Jt. Res. No. 16, S.," should read "Jt. Res. No. 16, A."  
**577.** "Jt. Res. No. 85, A.," should be "Jt. Res. No. 86, A."  
**588.** "Jt. Res. No. 86, A.," should be "Jt. Res. No. 87, A."  
**575.** "Jt. Res. No. 83, S.," should be "Jt. Res. No. 83, A."



# HISTORY OF BILLS, MEMORIALS AND RESOLUTIONS.

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## BILLS—SENATE.

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- No. 1, S.** A bill to regulate the practice of dentistry in the state of Wisconsin. Senator Burrows. To committee on State Affairs, 12. Re-committed to Judiciary Committee, 64. Reported favorably, 79. Re-committed to committee on Judiciary, 91. Reported adversely, 144. Ordered engrossed and read third time, 150. Engrossed, 158. Read third time and passed, 170. Assembly lays on the table, 582.
- 2, S.** A bill to authorize the commissioners of public lands to loan a portion of the trust funds of the state to the county of Vernon. Senator Thomas. To committee on State Affairs, 12. Reported favorably. Passage recommended, 53. Rules suspended. Bill read a third time and passed, 53. Received from assembly with amendments, 74. Concurred in, 74. Correctly enrolled, 89. Approved, 892. Published as chapter No. 1.
- 3, S.** A bill to amend chapter 167, general laws, 1879, entitled an act to amend sections 3329 and 3330 of the revised statutes of 1878, entitled of liens. Senator Kellogg. To committee on Judiciary, 12. Reported favorably. Passage recommended, 56. Postponed, 60. Ordered engrossed and read third time, 75. Engrossed, 93. Read third time. Passed, 102. Assembly concurs, 304. Enrolled, 369. Approved, 403. Published as chapter 62.
- 4, S.** A bill to permit the boards of supervisors of counties to exempt their respective counties from the provisions of sections 1623, 1624 and 1625 of the revised statutes of 1878, providing for the taxation of dogs. Senator Kellogg. To committee on Judiciary, 12. Reported with amendments, 246. Laid over, 282. Laid over, 338. Re-committed to committee on Agriculture, 352. Reported with amendment, 412. Laid over, 435. Laid over, 485. Amended, ordered engrossed and read third time, 493. Engrossed, 508. Passed, 524. Assembly lays on the table, 583.
- 5, S.** A bill empowering commissioners of United States courts to administer oaths and take and certify the acknowledgment of deeds and other instruments in writing. Senator Kellogg. To committee on Judiciary, 13. Reported favorably. Passage recommended, 56. Ordered engrossed and read third time, 59. Engrossed, 89. Read third time and passed, 97. Assembly concurs, 162. Enrolled, 167. Approved, 302. Published as chapter 9.

- No. 6, S.** A bill for the prevention of cruelty to minors. Senator Weaver. To committee on Charitable and Penal Institutions, 13. Reported with amendment, 356. Recommitted to Judiciary committee, 375. Reported with amendments, 411. Amendments adopted, ordered engrossed and read a third time, 435. Engrossed, 430. Passed, 463. Assembly amends and concurs, 510. Senate concurs, 511. Enrolled, 546. Approved, 578. Published as chapter 239.
- 7, S.** A bill authorizing the commissioners of school and university lands of the state of Wisconsin to extend the time of payment of loans made from the school fund to school district No. 2, in town of Darlington. Senator Blackstone. To committee on State Affairs, 18. Reported with amendment, 45. Adopted. Read third time and passed, 43. Reconsidered. Indefinitely postponed, 50.
- 8, S.** A bill to appropriate a certain sum of money therein named to Geo. W. Perry. Senator Fifield. To committee on Claims, 37. Reported with amendment, 198. Amendment adopted. Ordered engrossed and read third time, 216. Engrossed, 234. Read third time and passed, 251. Enrolled, 344. Assembly concurs, 347. Approved, 403. Published as chapter 39.
- 9, S.** A bill to authorize Thomas W. Gay, James A. Robb and Samuel H. Robb, their associates and assigns, to construct and maintain a dam across the Kickapoo river, on land owned by them. Senator Thomas. To committee on Incorporations, 38. Reported favorably. Passage recommended, 53. Ordered engrossed and read a third time, 57. Engrossed, 78. Read third time and passed, 90. Assembly concurs, 162. Enrolled, 167. Approved, 302. Published as chapter 7.
- 10, S.** A bill to repeal sections 1623, 1624 and 1625 of chapter 72 of the revised statutes of 1878, relating to taxation of dogs. Senator McGrew. To committee on Judiciary, 38. Reported adversely, 529. Indefinitely postponed, 554.
- 11, S.** A bill to amend section 329 of chapter 20 of the revised statutes of 1878, relating to the publication of the laws. Senator Hyde. To committee on Judiciary, 38. Reported adversely, 144. Recommitted to committee on Claims, 150. Reported adversely, 168. Laid over, 195. Laid over, 233. Indefinitely postponed, 296.
- 12, S.** A bill relating to fences. Senator Sutherland. To committee on State Affairs, 38. Reported favorably, 88. Amendment offered, 97. Recommitted to committee on State Affairs with pending amendment, 98. Reported with amendments, 144. Amendments adopted. Ordered engrossed and read third time, 150. Engrossed, 158. Read third time and passed, 169. Assembly amends and concurs, 405. Senate concurs in assembly amendments, 406. Enrolled, 414. Approved, 492. Published as chapter 167.
- 13, S.** A bill to provide for the purchase of Webster's unabridged dictionaries. Senator Richardson. To committee on Education, 40. Reported favorably. Recommitted to committee on Claims, 52. Reported favorably, 115. Recommitted to committee on Education, 130. Reported with amendments 144. Amendments adopted. Ordered engrossed and read third time, 150. Engrossed, 153. Read third time and passed, 170. Assembly concurs, 230. Enrolled, 261. Approved, 302. Published as chapter 23.
- 14, S.** A bill to amend chapter 195 of the laws of 1878, entitled an act to incorporate the city of Waupun. Senator Sutherland. To committee on Incorporations, 40.

- No. 15, S.** A bill to authorize James McCrossen and others to build a dam across and otherwise improve Spirit river, in Lincoln county, Wisconsin. Senator Scott. To committee on Incorporations, 40. Reported back with amendment. Passage recommended when so amended, 52. Postponed, 58. Amendments adopted. Ordered engrossed and read third time, 80. Engrossed, 96. Read third time. Passed, 102. Assembly amends and concurs, 321. Senate concurs in assembly amendments, 323. Enrolled, 359. Approved, 404. Published as chapter 63.
- 16, S.** A bill to authorize John Phelps, his associates or assigns, to erect and maintain a dam across the Wisconsin river, and make other improvements in the Wisconsin river in Lincoln county. Senator Scott. To committee on Incorporations, 44. Reported with amendment, 395. Amendments adopted, ordered engrossed and read a third time, 420. Engrossed, 437. Passed, 445. Concurrence refused, 510.
- 17, S.** A bill to amend section 4255 of chapter 114 of the revised statutes of 1878, entitled of county courts. Senator Hyde. To committee on Judiciary, 44. Recommitted to Milwaukee Delegation, 79. Reported adversely, 465. Indefinitely postponed, 554.
- 18, S.** To appropriate to the commissioners of fisheries a certain sum therein named. Senator Fifield. To committee on Claims, 44. Reported with amendments, 158. Amendments adopted. Ordered engrossed and read a third time, 171. Engrossed, 199. Read third time and passed, 214. Assembly concurs, 305. Approved, 404. Published as chapter 64.
- 19, S.** A bill to protect surgeons, physicians, dentists and patients from the morbid condition of the nervous system sometimes produced by the administration of anæsthetics. Senator Weaver. To committee on State Affairs, 44. Recommitted to committee on Judiciary, 63. Reported adversely, 145. Indefinitely postponed, 149.
- 20, S.** A bill relating to the Milwaukee and Brookfield Macadamized Turnpike Company, and amendatory of section 1, chapter 279, laws of 1878. Senator Weaver. To committee on Roads and Bridges, 44. Reported favorably, 56. Ordered engrossed and read a third time, 59. Engrossed, 89. Read third time and passed, 97. Assembly concurs, 162. Enrolled, 167. Approved, 302. Published as chapter 8.
- 21, S.** A bill to authorize Elijah Swift, his heirs and assigns, to erect and maintain a dam across Mud Brook. Senator Griffin. To committee on Incorporations, 44. Reported with amendments, 520. Amendments adopted, rules suspended and passed, and clerk instructed to correct title, 543. Engrossed, 555. Assembly concurs, 570. Enrolled, 577. Approved, 582. Published as chapter 317.
- 22, S.** A bill to amend section 4153 of the revised statutes, relating to evidence. Senator Sutherland. To committee on Judiciary, 44. Reported favorably, 56. Ordered engrossed and read third time, 60. Engrossed, 89. Read third time and passed, 97. Assembly concurs, 193. Enrolled, 199. Approved, 302. Published as chapter 18.
- 23, S.** A bill to amend sections 3875 and 3878 of the revised statutes of 1878, relating to the sale of lands by executors and administrators. Senator Sutherland. To committee on Judiciary, 44. Reported adversely, 144. Ordered engrossed and read third time, 149. Engrossed, 158. Read third time and passed, 169. Assembly concurs, 322. Enrolled, 359. Approved, 404. Published as chapter 65.

- No. 24, S. A bill relating to nonregistered voters, and amendatory of section 24 of the revised statutes of 1878. Senator Woodman. To committee on Judiciary, 45. Reported with amendments, 532. Amended and ordered engrossed, 554. Engrossed, rules suspended and passed, 556. Assembly concurs, 570. Enrolled, 577. Approved, 582. Published as chapter 815.
- 25, S. A bill to amend chapter 234 of the private and local laws of 1866, entitled an act to incorporate the Eau Claire Lumber Company. Senator Griffin. To committee on Judiciary, 45. Reported favorably, 79. Ordered engrossed and read third time, 90. Engrossed, 100. Read third time and passed, 109. Assembly concurs, 250. Enrolled, 261. Approved, 302. Published as chapter 22.
- 26, S. A bill to authorize Jes. Ericson and E. C. Manger to maintain a boom in Kewaunee river, in Kewaunee county. Senator Grimmer. To committee on Incorporations, 45. Reported favorably, 108. Ordered engrossed and read third time, 116. Engrossed, 126. Read third time and passed, 145. Assembly concurs, 250. Enrolled, 261. Approved, 302. Published as chapter 21.
- 27, S. A bill to amend section 4771 of the revised statutes of 1878, in relation to security of costs in criminal cases. Senator Grimmer. To committee on Judiciary, 45. Reported with amendments, 128. Amendments adopted ordered engrossed and read third time, 146. Engrossed, 166. Read third time and passed, 194. Assembly concurs, 322. Enrolled, 359. Approved, 404. Published as chapter 66.
- 28, S. A bill to authorize the commissioners of public lands of the state of Wisconsin to extend the time of payment of the loan made from the trust funds of the state to school district No. 12, in the town of Darlington, formerly town of Center. Senator Blackstone. Rules suspended, read third time and passed, 51. Assembly concurs, 96. Correctly enrolled, 116. Approved, 302. Published as chapter 5.
- 29, S. A bill to amend chapter 34 of the revised statutes, entitled of the militia, and the act amendatory thereof, and to provide for the greater efficiency of the Wisconsin National Guard. Senator Kellogg. To committee on Military Affairs, 51. Reported with amendments, 188. Recommitted to committee on Military Affairs, 203. Reported adversely, 300. Recommitted to committee on Claims, 324. Reported favorably, 344. Amendments offered and adopted. Ordered engrossed and read third time, 365. Engrossed, 367. Rules suspended. Laid over, 376. Read third time and passed, 389. Concurred in, 456. Enrolled, 472. Approved, 549. Published as chapter 185.
- 30, S. A bill to authorize A. D. Lunt and P. M. Musser to build a dam across and otherwise improve Elk river, in Price county, for log driving purposes. Senator Scott. To committee on Incorporations, 51. Reported with amendments, 127. Amendments adopted. Ordered engrossed and read third time, 146. Engrossed, 166. Read third time and passed, 194. Assembly amends and concurs, 321. Senate concurs in assembly amendments, 323. Enrolled, 359. Returned from governor for further consideration, 414. Assembly requests return of, 423. Received from assembly with amendments. Concurred in, 437. Enrolled, 442. Approved, 493. Published as chapter 144.
- 31, S. A bill to provide compensation for completing the transcribing of the senate and assembly journals. Senator Scott. To committee on Claims, 51. Reported favorably, 115. Ordered engrossed and read third time, 129. Engrossed, 153. Read third time and passed, 163. Assembly concurs, 275. Enrolled, 277. Approved, 403. Published as chapter 80.

- No. 82, S.** A bill to amend section 111a of the revised statutes of 1878, entitled of the legislature. Senator Scott. To committee on Judiciary, 51.
- 83, S.** A bill in relation to the judges of the supreme court. Senator Scott. To committee on Judiciary.
- 84, S.** A bill relating to bonds of counties, cities, villages or towns, and amendatory of section 960 a, chapter 41, revised statutes of 1878. Senator Ryland. To committee on Judiciary, 51. Reported back with amendment, 79. Amendments adopted. Ordered engrossed and read third time, 91. Engrossed, 100. Read third time and passed, 109. Assembly refuses to concur, 347.
- 85, S.** A bill to amend section 3372 of chapter 154, revised statutes of 1878, entitled of general provisions, and of the jurisdiction of justices in civil actions. Senator Bennett. To committee on Judiciary, 51. Reported adversely, 79. Indefinitely postponed, 81.
- 86, S.** A bill to appropriate the sum of five hundred dollars to the Wisconsin Dairymen's Association. Senator Smith. To committee on Claims, 51. Reported favorably, 115. Ordered engrossed and read third time, 129. Engrossed, 153. Read third time and passed, 163. Assembly concurs, 228. Enrolled, 246. Approved, 303. Published as chapter 17.
- 87, S.** A bill to amend section 2626, revised statutes of 1878, relating to change of venue in civil cases, and to amend section 4680, revised statutes of 1878, relating to the changes of venue in criminal cases. Senator Dering. To committee on Judiciary, 52. Reported adversely, 168. Indefinitely postponed, 195.
- 88, S.** A bill to appropriate to Dodge county a sum of money therein named. Senator McFetridge. To committee on Claims, 52. Reported with amendments, 355. Recommitted to Judiciary committee, 375. Reported favorably, 411. Ordered engrossed and read a third time, 435. Engrossed, 443. Passed, 453. Assembly refuses to order to third reading, 539.
- 89, S.** A bill to include the Chicago & Tomah Railroad in the provisions of chapter 153 of the general laws of 1879, and amendatory of said chapter. Senator Ryland. To committee on Railroads, 52. Reported unfavorably, 166. Recommitted to Senator Fifield, 196. Reported with amendment, 248. Laid over, 282. Amendments adopted. Recommitted to committee on Railroads, 296. Reported favorably, 331. Recommitted to committee on Railroads, 332. Reported favorably, 398. Laid over, 421. Laid over, 438. Laid over, 485. Ordered engrossed and read third time, 498. Engrossed, 508. Rules suspended and passed, 509. Concurred in, 538. Enrolled, 561. Approved, 579. Published as chapter 290.
- 40, S.** A bill to amend chapter 204, general laws of 1879, entitled an act relating to secret, beneficiary, charitable and benevolent orders. Senator Burrows. To committee on Finance, Banks and Insurance, 55. Reported adversely, 95. Indefinitely postponed, 102.
- 41, S.** A bill to amend chapter 141, laws of 1879, entitled an act to amend section 121, chapter 10, revised statutes of 1878, in relation to the distribution of blue books. Senator Grimmer. To committee on Legislative Expenditures, 59. Reported with amendment, 94. Laid over, 102. Amendments adopted. Amendment to amendment offered and adopted. Ordered engrossed and read a third time, 109. Engrossed, 126. Read third time and passed, 145. Assembly refuses to concur, 321.

- No. 42, S.** A bill to amend section 2437 of the revised statutes, in relation to phonographic reporters. Senator Sutherland. To committee on Judiciary, 59. Reported with amendment, 144. Recommitted to Senator Sutherland, 149. Reported with amendment, 160. Amendment adopted, ordered engrossed and read a third time, 171. Engrossed, 199. Read third time and passed, 218. Assembly concurs, 371. Enrolled, 399. Approved, 491. Published as chapter 89.
- 43, S.** A bill to authorize the superintendent of public property to furnish stationery and postage stamps to the employees of senate and assembly, and to make an appropriation therefor. Senator Kellogg. To committee on Legislative Expenditures, 63. Recommitted to committee on Claims, 89. Reported with amendments, 158. Amendments adopted, ordered engrossed and read third time, 171. Engrossed, 199. Read third time and passed, 214. Assembly concurs, 305. Enrolled, 317. Approved, 403. Published as chapter 44.
- 44, S.** A bill relating to the acquisition of land by eminent domain. Senator Ryland. To committee on Judiciary, 63. Reported adversely, 128. Indefinitely postponed, 147.
- 45, S.** A bill to amend section 4560 of the revised statutes of 1878, entitled of fish and game. Senator Fifield. To committee on Agriculture, 62. Reported with amendment. Recommitted to committee on State Affairs, 344. Reported with amendments, 519. Amended and engrossed, 543. Engrossed. Rules suspended. Indefinitely postponed, 556.
- 46, S.** A bill relating to the payment of fees upon settlement of estates of deceased persons in the county of Milwaukee, and amendatory of section 2483 of the revised statutes of 1878. Senator Hyde. To committee on Judiciary, 63. Recommitted to select committee composed of Milwaukee county senators, 94. Reported favorably, 273. Ordered engrossed and read a third time, 295. Engrossed, 317. Read third time and passed, 333. Concurred in, 455. Enrolled 464. Returned from governor for correction, 504. Approved, 579. Published as chapter 269.
- 47, S.** A bill to amend chapter 13, revised statutes 1878, relating to appointments of notaries public, and prescribing their duties. Senator Weaver. To committee on Judiciary, 63. Reported adversely, 94. Indefinitely postponed, 102.
- 48, S.** A bill to amend section 4415, revised statutes 1878, relating to punishment for larceny. Senator Sutherland. To committee on Judiciary, 63. Reported with amendments, 128. Amendments adopted. Ordered engrossed and read third time, 147. Engrossed, 159. Read third time and passed, 169. Assembly concurs, 323. Enrolled, 359. Approved, 404. Published as chapter 67.
- 49, S.** A bill to add certain territory to the city of Milwaukee, and to erect a new ward in said city. Senator Paul. To Milwaukee County Delegation, 63. Reported adversely, 534. Indefinitely postponed, 538.
- 50, S.** A bill to provide a salary for justices of the peace in incorporated cities of a population of sixty thousand or upwards. Senator Paul. To committee on Judiciary, 63. Recommitted to select committee of senators from Milwaukee county, 94. Reported with amendment, 346. Laid over, 364. Amendments adopted, ordered engrossed and read third time, 384. Engrossed, 396. Passed, 417. Concurrence refused, 510.

- No. 51, S. A bill to authorize the commissioners of school and university lands to loan a portion of the trust funds to the city of Berlin. Senator Sacket. To committee on State Affairs, 63. Reported with amendment, 80. Rules suspended, amendment adopted, read third time and passed, 81. Assembly concurs, 90. Correctly enrolled, 95. Approved, 302. Published as chapter 4.
- 52, S. A bill for the protection of brook trout in the state of Wisconsin. Senator Fifield. To committee on State Affairs, 63. Reported with amendments, 490. Amended and ordered engrossed, 516. Engrossed, 519. Passed, 534. Assembly concurs, 557. Enrolled, 564. Assembly reconsiders and amends, 575. Senate concurs, 576. Enrolled, 578. Approved, 582. Published as chapter 321.
- 53, S. A bill fixing the time when wild deer may be taken in the counties of Ashland, Bayfield and Douglas. Senator Fifield. To committee on State Affairs, 63. Reported favorably, 190. Laid over, 203. Laid over, 232. Amendment offered and adopted. Ordered engrossed and read third time, 281. Engrossed, 317. Read third time and passed, 334. Assembly concurs, 423. Enrolled, 441. Approved, 492. Published as chapter 114.
- 54, S. A bill to authorize county judges to draw papers in certain cases. Senator Hyde. To Milwaukee Delegation, 77. Reported unfavorably, 537. Indefinitely postponed, 554.
- 55, S. To amend the articles of association of the Chicago, Milwaukee & St. Paul Railway Company. Senator Thomas. To committee on Judiciary, 77. Reported favorably, 261. Ordered engrossed and read third time, 295. Engrossed, 318. Read third time and passed, 334. Assembly concurs, 405. Enrolled, 414. Assembly requests return of, 423. Amended and concurred in by assembly. Assembly amendments concurred in, 424. Passed, 431. Enrolled, 461. Approved, 548. Published as chapter 152.
- 56, S. A bill for the preservation of fish in Dell creek. Senator Woodman. To committee on State Affairs, 77. Reported with amendments, 386. Amendments adopted. Ordered engrossed. Read third time, 408. Correctly engrossed, 413. Passed 431. Concurred in, 540. Enrolled, 561. Approved, 579. Published as chapter 272.
- 57, S. A bill to protect certain game birds within the state. Senator Quarles. To committee on State Affairs, 77. Reported favorably, 354. Laid over, 375. Laid over, 393. Amendments offered and adopted. Ordered engrossed and read third time, 408. Engrossed, 413. Passed, 431. Concurrence refused, 511.
- 58, S. A bill relative to assessments for water pipes in the city of Milwaukee, and amendatory of sections 15, 16 and 17, of chapter 10 of chapter 184 of the laws of 1874. Senator Paul. To Milwaukee Delegation, 77. Reported favorably, 273. Ordered engrossed and read third time, 295. Engrossed, 317. Read third time and passed, 334. Assembly concurs, 523. Enrolled, 561. Approved, 579. Published as chapter 268.
- 59, S. A bill to appropriate to the Institution for the Education of the Blind a sum of money therein named. Senator Richardson. To committee on Charitable and Penal Institutions, 77. Reported with amendments, 115. Recommitted to committee on Claims, 129. Reported with amendments, 188. Amendments adopted. Ordered engrossed and read third time, 203. Engrossed, 205. Read third time and passed, 230. Assembly concurs, 304. Enrolled, 317. Approved, 403. Published as chapter 46.

- No. 60, S. A bill to provide for the inspection of illuminating oils manufactured from petroleum or coal oils, and to regulate the sale thereof, and to repeal section 4359 of chapter 181, revised statutes of 1878. Senator Bennett. To committee on Manufactures and Commerce, 77. Reported with amendments, 342. Laid over, 393. Amendments adopted. Laid over, 409. Laid over, 421. Recommitted to Senator Bennett, 435. Reported favorably with amendments, 443. Amended. Ordered engrossed. Read third time, 486. Engrossed, 508. Rules suspended and passed, 513. Concurred in, 539. Enrolled, 560. Approved, 580. Published as chapter 269.
- 61, S. A bill to appropriate to the Institution for the Education of the Deaf and Dumb a sum of money therein named. Senator Richardson. To committee on Charitable and Penal Institutions, 78. Reported favorably, 115. Recommitted to committee on Claims, 130. Reported favorably, 246. Ordered engrossed and read third time, 281. Assembly concurs, 305. Enrolled, 317. Approved, 403. Published as chapter 47.
- 62, S. A bill to amend section 111 *a* of the revised statutes of 1878, entitled of the legislature. Senator Houghton. To committee on Judiciary, 78. Reported favorably, 94. Recommitted to Judiciary committee. Read third time and passed, 103. Assembly refuses to concur, 305.
- 63, S. A bill relating to writs of mandamus and prohibition, and amendatory of section 3452 of the revised statutes of 1878. Senator Houghton. To committee on Judiciary, 78. Reported with amendments, 185. Laid over, 232. Amendments adopted, ordered engrossed and read third time, 297. Engrossed, 339. Read third time and passed, 348. Concurred in, 483. Enrolled, 546. Approved, 579. Published as chapter 231.
- 64, S. A bill relating to illegal taxes, and amendatory of chapter 50 of the revised statutes. Senator Scott. To committee on Judiciary, 78. Reported unfavorably, 157. Indefinitely postponed, 159.
- 65, S. A bill relating to the municipal court of the city of Eau Claire, and amendatory of section 10 of chapter 183 of the laws of Wisconsin for 1874, as amended by section 1 of chapter 329 of the laws of Wisconsin for 1878. Senator Griffin. To committee on Judiciary, 78. Reported favorably, 94. Ordered engrossed and read third time, 102. Engrossed, 115. Read third time and passed, 129. Assembly concurs, 193. Enrolled, 199. Approved, 302. Published as chapter 16.
- 66, S. A bill to extend the time limited in chapter 281, private and local laws of 1870, entitled an act to authorize Diedrich Van Hollen to keep and maintain a ferry across the St. Croix river. Senator Fifield. To committee on State Affairs, 78. Reported favorably, 127. Ordered engrossed and read third time, 146. Engrossed, 153. Read a third time and passed, 162. Assembly concurs, 322. Enrolled, 369. Approved, 404. Published as chapter 68.
- 67, S. A bill to provide for the appointment of register of probate of the county court of Milwaukee county, and for other purposes. Senator Hyde. To Milwaukee Delegation, 78. Reported with amendments, 301. Amendments adopted. Ordered engrossed and read third time, 324. Engrossed, 343. Read third time and passed, 362. Assembly concurs, 445. Enrolled, 503. Approved, 549. Published as chapter 183.

- No. 68, S. A bill to amend sections 1 and 5 of chapter 192 of the laws of 1879, entitled an act to regulate the size of the meshes of nets used in the waters of Lake Michigan, and the waters of Green Bay and Lake Superior, and for the better enforcement of the fish and game laws of the state, and to repeal section 4563 of the revised statutes. Senator Fifield. Referred to special committee, Senators Rankin, Quarles, Grimmer, Van Schaick, and Fifield, 87. Reported, indefinite postponement, 481. Indefinitely postponed, 499.
- 69, S. A bill regulating the inspection, sale and uses of illuminating oils from petroleum and other sources. Senator Bennett. To committee on Manufactures and Commerce, 87. Reported adversely, 342. Indefinitely postponed, 363.
- 70, S. A bill to appropriate to the state printer a sum of money therein named. Senator Hyde. To committee on Printing, 88. Recommitted to committee on Claims, 315. Reported adversely, 413. Recommitted to committee on Claims, 438. Reported, referred to general file, 489. Indefinitely postponed, 516.
- 71, S. A bill to legalize the acts of L. S. Rolleston, county clerk in and for the county of Columbia. Senator Dering. To committee on Judiciary, 88. Reported favorably, 128. Ordered engrossed and read third time, 146. Engrossed, 153. Read third time and passed, 162. Assembly concurs, 322. Enrolled, 359. Approved, 404. Published as chapter 69.
- 72, S. A bill authorizing the towns of Sigel and Flambeau, in Chippewa county, Wisconsin, to levy a special tax for the purpose of paying off certain bonds, and empowering the board of supervisors of Chippewa county to adjust the indebtedness of said towns. Senator Scott. To committee on Judiciary, 88. Reported favorably, 128. Ordered engrossed and read third time, 146. Engrossed, 153. Read third time and passed, 162. Assembly concurs, 304. Enrolled, 317. Approved, 403. Published as chapter 42.
- 73, S. A bill to create the Kewaunee Harbor Commission, and their duties. Senator Grimmer. To committee on Town and County Affairs, 88. Reported favorably, 159. Ordered engrossed and read a third time, 171. Engrossed, 199. Read third time and passed, 213. Assembly amends and concurs, 321. Senate concurs in assembly amendments, 323. Enrolled, 359. Approved, 404. Published as chapter 79.
- 74, S. A bill exempting the sale of sewing machines and musical instruments from license, under chapter 67 of the revised statutes. Senator Bennett. To committee on State Affairs, 93. Reported adversely, 128. Indefinitely postponed, 147.
- 75, S. A bill to amend section 4670 of the revised statutes, relating to change of venue in criminal cases. Senator Sutherland. To committee on Judiciary, 93. Reported adversely, 128. Indefinitely postponed, 147.
- 76, S. A bill to provide for the incorporation of religious societies in connection with Congregational churches. Senator Sutherland. To committee on Judiciary, 93. Reported favorably, with amendments, 451. Amended. Ordered engrossed. Read third time, 486. Engrossed, 508. Passed, 520. Concurred in, 538. Enrolled, 562. Approved, 581. Published as chapter 284.
- 77, S. A bill to promote good order and repress crime. Senator Quarles. To committee on Judiciary, 93. Reported favorably, 342. Ordered engrossed and read third time, 363. Engrossed, 367. Read third time and passed, 381. Assembly concurs, 493. Enrolled, 546. Approved, 579. Published as chapter 238.

- No. 78, S. A bill to provide for discharging convicts, and the appointment of a state agent for that purpose. Senator Hyde. To committee on Charitable and Penal Institutions, 93. Reported, indefinite postponement, 474. Indefinitely postponed, 499.
- 79, S. A bill to provide for the education of the deaf and dumb by the articulate or phonological method. Senator Hyde. To committee on Charitable and Penal Institutions, 93. Reported, indefinite postponement, 474. Minority reporting favorably, 475. Indefinitely postponed, 499.
- 80, S. A bill to provide for the disposal of the property of corporations whose charters shall have expired or been amended. Senator Quarles. To committee on Judiciary, 93.
- 81, S. A bill to amend section 4395 of the revised statutes of 1878, entitled of offenses against the lives and persons of individuals. Senator Burrows. To committee on Judiciary, 94. Reported favorably, 367. Ordered engrossed and read third time, 384. Engrossed, 396. Passed, 417. Assembly concurs, 493. Enrolled, 561. Approved, 579. Published as chapter 267.
- 82, S. A bill to repeal sections 592 and 594 of revised statutes of 1878, relating to public charities, and to amend 593, R. S. 1878, and to prescribe the procedure for committing persons to the insane hospitals. Senator Quarles. To committee on Judiciary, 94. Reported with amendments, 343. Amendments adopted. Ordered engrossed and read third time, 392. Engrossed, 396. Passed, 417. Assembly concurs, 494. Enrolled, 562. Approved, 580. Published as chapter 266.
- 83, S. A bill relating to railroads, and to amend section 1839 of the revised statutes, in relation to execution and recording of conveyances of railroad corporations. Senator Dering. To committee on Railroads, 99. Reported adversely, 331. Indefinitely postponed, 351. Vote reconsidered. Recommitted to committee on Railroads, 362. Reported with amendments, 503. Amended and ordered engrossed, 516. Engrossed, 519. Passed, 534. Assembly concurs, 557. Enrolled, 560. Approved, 580. Published as chapter 260.
- 84, S. A bill to legalize the official acts of Alois Neuburg, a justice of the peace in the county of La Crosse. Senator Van Steenwyk. To committee on Judiciary, 99. Reported favorably, 128. Ordered engrossed and read third time, 146. Engrossed, 159. Read third time and passed, 170. Assembly concurs, 323. Enrolled, 359. Approved, 404. Published as chapter 71.
- 85, S. A bill to authorize the commissioners of public lands to loan a portion of the trust funds of the state to the town of Shullsburg, in La Fayette county. Senator Blackstone. To committee on State Affairs, 99. Reported favorably, 127. Ordered engrossed and read third time, 146. Engrossed, 153. Read third time and passed, 162. Assembly amends and concurs, 321. Senate refuses to concur in assembly amendments, 323. Assembly recedes from amendment, 333. Enrolled, 369. Returned from governor for further consideration, 414. Assembly asks return of, 424.
- 86, S. A bill to amend section 4565 of the revised statutes, relating to certain game. Senator Quarles. To committee on State Affairs, 99. Reported favorably. Rules suspended, read third time and passed, 397. Concurred in, 456. Enrolled, 488. Approved, 548. Published as chapter 170.
- 87, S. A bill to appropriate to the superintendent of public property a sum of money therein named, to purchase the necessary stationery for the use of the legislature and state officers for the ensuing year. Senator Burrows. To committee on Claims, 99.

Reported with amendment, 188. Amendment adopted, ordered engrossed and read a third time, 203. Engrossed, 205. Laid over, 230. Amendment offered and adopted, read third time and passed, 252. Assembly concurs, 371. Enrolled, 398. Approved, 491. Published as chapter 90.

- No. 88, S. A bill to provide for the rebuilding of a portion of the Institution for the Education of the Deaf and Dumb, and to appropriate the sum of money therein named. Senator Quarles. To committee on Charitable and Penal Institutions, 99. Reported with amendments, 227. Reported with amendments, 345. Amendments adopted, ordered engrossed and read third time, 363. Engrossed, 367. Read third time and passed, 381. Assembly concurs, 423. Enrolled, 441. Approved, 492. Published as chapter 116.
- 89, S. A bill to amend chapter 131 of revised statutes of the state of Wisconsin, relating to court commissioners. Senator Van Schaick. To committee on Judiciary, 99. Reported adversely, 157. Indefinitely postponed, 172.
- 90, S. A bill to appropriate to the Industrial School for Boys a certain sum of money for current expenses. Senator Richardson. To committee on Charitable and Penal Institutions, 99. Reported favorably, 244. Recommended to committee on Claims, 244. Reported favorably, 260. Ordered engrossed and read third time, 295. Engrossed, 317. Read third time and passed, 334. Assembly concurs, 405. Enrolled, 414. Approved, 492. Published as chapter 108.
- 91, S. A bill to appropriate to the Institution for the Education of the Deaf and Dumb a sum of money therein named. Senator Richardson. To committee on Charitable and Penal Institutions, 100. Reported with amendment, 244. Recommended to committee on Claims, 244. Reported with amendments, 355. Engrossed, 380. Read third time and passed, 389. Assembly concurs, 422. Enrolled, 441. Approved, 492. Published as chapter 115.
- 92, S. A bill to appropriate to the Wisconsin State Hospital for the Insane certain sums of money to defray current expenses, and for special purposes. Senator Richardson. To committee on Charitable and Penal Institutions, 100. Reported with amendments, 519. Recommended to committee on Claims, 519. Reported with amendments, 528. Amended. Ordered engrossed, 553. Rules suspended and passed, 553. Assembly concurs, 557. Enrolled, 561. Approved, 580. Published as chapter 259.
- 93, S. A bill to appropriate to the Wisconsin State Hospital for the Insane a certain sum of money to pay indebtedness. Senator Richardson. To committee on Charitable and Penal Institutions, 100. Reported adversely, 429. Laid over, 448. Indefinitely postponed, 470.
- 94, S. A bill to appropriate to the Northern Hospital for the Insane certain sums of money for current expenses and special purposes. Senator Richardson. To committee on Charitable and Penal Institutions, 100. Reported with amendments, and recommended to committee on Claims, 519. Reported favorably, 528. Ordered engrossed, 552. Rules suspended and passed, 553. Assembly concurs, 557. Enrolled, 560. Approved, 580. Published as chapter 258.
- 95, S. A bill to provide for the proper proportion of payment of surveys made by the county surveyor or his deputy by all the owners of land in a section. Senator McGrew. To committee on Town and County Affairs, 100. Reported adversely, 334. Indefinitely postponed, 375.

- No. 96, S. A bill to authorize the Iowa County Agricultural Society to donate to the Mineral Point Railroad Company a piece of land. Senator McGrew. To committee on Railroads, 100. Reported favorably, 141. Ordered engrossed and read a third time, 146. Engrossed, 153. Read third time and passed, 162. Assembly concurs, 371. Enrolled, 398. Approved, 491. Published as chapter 113.
- 97, S. A bill to amend section 843 of chapter 39 of the revised statutes of 1878, relating to constable fees. Senator Richardson. To committee on Judiciary, 105. Reported unfavorably, 183. Indefinitely postponed, 208.
- 98, S. A bill to authorize the St. Paul & Chicago Short Line Railway Company to construct a bridge on Lake St. Croix. Senator Woodman. To committee on Railroads, 105. Reported with amendment, 397. Amendments adopted, ordered engrossed and read third time, 420. Engrossed, 437. Passed, 445. Assembly concurs, 510. Enrolled, 547. Approved, 579. Published as chapter 228.
- 99, S. A bill to appropriate a sum of money therein named. Senator Bennett. To committee on Claims, 105. Reported favorably, 168. Ordered engrossed and read third time, 195. Engrossed, 205. Read third time and passed, 230. Assembly concurs, 304. Enrolled, 316. Approved, 403. Published as chapter 45.
- 100, S. A bill to amend the charter of the city of Prairie du Chien. Senator Thomas. To committee on Incorporations, 105.
- 101, S. A bill relating to village charters, and amendatory of sections 910 and 875 of chapter 40 of the revised statutes of 1878. Senator Paul. To committee on Judiciary, 105. Reported adversely, 261. Indefinitely postponed, 296.
- 102, S. A bill to amend sections 1546, 1547 and 1786 of chapters 63 and 86 of the revised statutes, relating to industrial schools and commitments thereto. Senator Paul. To committee on Charitable and Penal Institutions, 105. Reported with amendments, 207. Laid over, 233. Amendments adopted. Ordered engrossed and read third time, 253. Engrossed, 278. Read third time and passed, 294. Assembly amends and concurs, 510. Recommitted to Milwaukee Delegation, 511. Reported with amendments, 533. Indefinitely postponed, 554.
- 103, S. A bill to reorganize the third, fourth and tenth judicial circuits, and to create the thirteenth judicial circuit. Senator Haben. To committee on Judiciary, 105. Reported indefinite postponement, 471. Indefinitely postponed, 499.
- 104, S. A bill to regulate the recovery of costs and fees in certain cases from counties. Senator Sutherland. To committee on Judiciary, 106. Reported adversely, 332. Indefinitely postponed, 351.
- 105, S. A bill relating to discontinuance of highways, amendatory of section 1294, revised statutes. Senator Blackstone. To committee on Judiciary, 106. Reported adversely, 343. Indefinitely postponed, 364.
- 106, S. A bill relating to the division of towns into election districts, and amendatory of section 27, chapter 5 of the revised statutes. Senator Blackstone. To committee on Judiciary, 106. Reported unfavorably, 158. Indefinitely postponed, 172.
- 107, S. A bill to amend section 1971, chapter 89 of the revised statutes of 1878, relating to insurance corporations. Senator Smith. To committee on Finance, Banks and Insurance, 106. Reported adversely, 190. Indefinitely postponed, 204.

- No. 108, S. A bill to authorize the justices of the peace elected in the several wards of the city of Plymouth to keep an office and perform their duties in any part of said city. Senator Smith. To committee on Judiciary, 106. Reported favorably, 158. Ordered engrossed and read third time, 171. Engrossed, 199. Read third time and passed, 214. Assembly concurs, 322. Enrolled, 360. Approved, 404. Published as chapter 70.
- 109, S. A bill to authorize Wm. Wilson, Andrew Tainter, John H. Knapp, Henry L. Stout, Thomas B. Wilson and John L. Douglass, their associates, successors and assigns, to construct and maintain a dam across Hay river, in Barron county, on land owned by the Knapp, Stout & Co. Company. Senator Fifield. To committee on Incorporations, 106. Reported favorably, 127. Recommended to Senator Fifield, 141. Ordered engrossed and read third time, 146. Correctly engrossed, 153. Read third time and passed, 162. Assembly amends and concurs, 321. Senate concurs in assembly amendment, 323. Enrolled, 360. Approved, 404. Published as chapter 75.
- 110, S. A bill to authorize Henry L. Stout, John H. Douglass, William Wilson, John H. Knapp, Andrew Tainter, Thomas B. Wilson, their associates, successors and assigns, to erect and maintain a dam across Hemlock creek, in Barron county, on land owned by the Knapp, Stout & Co. Company. Senator Fifield. To committee on Incorporations, 106. Reported with amendments, 127. Amendments adopted, ordered engrossed and read third time, 147. Engrossed, 153. Read third time and passed, 163. Assembly amends and concurs, 305. Enrolled, 316. Approved, 403. Published as chapter 40.
- 111, S. A bill to authorize A. B. McDonnell, his associates and assigns, to build and maintain a dam across, and otherwise improve, Pine creek, in Price county, Wisconsin. Senator Scott. To committee on Incorporations, 106. Reported with amendments, 299. Amendments adopted, ordered engrossed and read third time, 324. Engrossed, 343. Read third time and passed, 362. Concurred in, 456. Enrolled, 473. Approved, 549. Published as chapter 205.
- 112, S. A bill to authorize John H. Knapp, Andrew Tainter, Thomas B. Wilson, Henry L. Stout, William Wilson, John H. Douglass, their associates, successors and assigns, to construct and maintain a dam across Hemlock creek, in Chippewa county, on lands owned by the Knapp, Stout & Co. Company. Senator Scott. To committee on Incorporations, 107. Reported favorably, 127. Ordered engrossed and read third time, 146. Engrossed, 159. Read third time and passed, 169. Assembly amends and concurs. Senate concurs in assembly amendment, 305. Enrolled, 316. Approved, 403. Published as chapter 41.
- 113, S. A bill to authorize Thomas B. Wilson, Andrew Tainter, William Wilson, Henry L. Stout, John H. Knapp, John H. Douglass, their associates, successors and assigns, to erect and maintain a dam across Hemlock creek, in Chippewa county, on lands owned by the Knapp, Stout & Co. Company. Senator Scott. To committee on Incorporations, 107. Reported with amendments 127. Amendments adopted. Ordered engrossed and read third time, 147. Engrossed, 166. Read third time and passed, 194. Assembly concurs, 372. Enrolled, 398. Approved, 491. Published as chapter 92.
- 114, S. A bill to authorize Thomas B. Scott to build a dam or dams on Prairie river, in Lincoln county, Wisconsin. Senator Scott. To committee on Incorporations, 107. Reported with amend-

ments, 169. Amendments adopted, ordered engrossed and read third time, 196. Engrossed, 205. Read third time and passed, 229. Assembly concurs, 322. Enrolled, 360. Returned from governor for further consideration, 414. Assembly requests return of, 424. Received from assembly with amendments. Concurred in, 437. Enrolled, 464. Approved, 548. Published as chapter 151.

- No. 115, S. A bill to appropriate a certain sum of money therein named to Wisconsin Industrial School for Girls. Senator Van Schaick. To committee on Charitable and Penal Institutions, 107. Reported with amendment, 244. Recommitted to committee on Claims, 244. Reported favorably, 344. Recommitted to committee on Charitable and Penal Institutions, 364. Reported with amendments, 368. Amendments adopted. Ordered engrossed and read third time, 384. Engrossed, 396. Passed, 417. Concurred in, 456. Enrolled, 454. Approved, 493. Published as chapter 141.
- 116, S. A bill to amend section 1926, chapter 89 of the revised statutes of 1878, entitled of insurance corporations. Senator Haben. To committee on Judiciary, 111. Reported with amendments, 286. Amendments adopted. Ordered engrossed and read third time, 308. Engrossed, 317. Read third time and passed, 334. Assembly amends and concurs, 510. Senate concurs, and clerk instructed to correct title, 511. Enrolled, 561. Approved, 582. Published as chapter 308.
- 117, S. A bill to amend section 20 of chapter 5 of the revised statutes of 1878, entitled of electors and general elections. Senator Weaver. To committee on Judiciary, 111. Reported adversely, 198. Indefinitely postponed, 216. Vote reconsidered. Recommitted to Judiciary committee, 232. Reported with amendments, 261. Recommitted to Judiciary committee, 296. Reported with amendments, 343. Amendments adopted. Ordered engrossed and read third time, 363. Engrossed, 367. Read third time and passed, 381. Assembly concurs, 494. Enrolled, 547. Approved, 579. Published as chapter 234.
- 118, S. A bill relating to change of venue, and to provide for the assignment of the judges of circuit courts. Senator Richardson. To committee on Judiciary, 111. Reported adversely, 168. Indefinitely postponed, 195.
- 119, S. A bill to provide for the transfer of the Milwaukee County Insane Asylum to the state, and to establish a state hospital for curable insane. Senator Richardson. To committee on Charitable and Penal Institutions, 111. Reported indefinite postponement, 473. Indefinitely postponed, 499.
- 120, S. A bill authorizing the Hamburg Fire Insurance Company to re-insure the Vernon County Scandinavian Mutual Insurance Company. Senator Thomas. To committee on Finance, Banks and Insurance, 111. Reported favorably, 144. Ordered engrossed and read third time, 149. Engrossed, 158. Read third time and passed, 170. Assembly concurs, 322. Enrolled, 360. Approved, 493. Published as chapter 82.
- 121, S. A bill to amend chapter 141 of the laws of Wisconsin for 1879, in relation to the distribution of blue books. Senator Thomas. To committee on Legislative Expenditures, 111.
- 122, S. A bill in relation to the apportionment of certain school moneys to district No. 3 of the town of Mequon, in the county of Ozaukee, for the year 1880. Senator Morgan. To committee on Education, 111. Reported favorably, 167. Rules suspended. Read third time and passed, 167. Assembly concurs, 304. Enrolled, 316. Approved, 403. Published as chapter 43.

- No. 123, S.** A bill to amend chapter 299 of the private and local laws of the year 1870, entitled an act to define the several acts and duties of the Beef Slough Manufacturing, Booming, Log Driving and Transportation Company. Senator Blackstone. To committee on Incorporations, 111. Referred to Senator Scott, 815.
- 124, S.** A bill to amend section 1 of chapter 251 of the laws of 1879, entitled of insurance corporations. Senator Carter. To committee on Finance, Banks and Insurance, 112. Reported adversely, 299. Indefinitely postponed, 325.
- 125, S.** A bill relating to offenses against the lives and persons of individuals, and amendatory of section 4389, chapter 181, revised statutes of 1878. Senator Paul. To committee on Charitable and Penal Institutions, 112. Reported favorably, 207. Ordered engrossed and read third time, 231. Engrossed, 234. Read third time and passed, 251. Assembly concurs, 494. Enrolled, 561. Approved, 580. Published as chapter 265.
- 126, S.** A bill to provide for laying out and establishing a road from Milwaukee city to Port Washington. Senator Paul. To Milwaukee Delegation, 112. Reported with amendment, 272. Amendment adopted. Ordered engrossed and read third time, 296. Engrossed, 339. Read third time and passed, 347. Assembly refuses to concur, 494.
- 127, S.** A bill to amend section 680 of the revised statutes, relating to claims against counties. Senator Sutherland. To committee on Judiciary, 112. Reported favorably, 197. Laid over, 216. Amendments offered and adopted. Ordered engrossed and read third time, 282. Engrossed, 339. Read third time and passed, 348. Assembly concurs, 423. Enrolled, 441. Approved, 492. Published as chapter 117.
- 128, S.** A bill to preserve the peace and secure good order on fair grounds, at camp meetings and at other places. Senator McGrew. To committee on Judiciary, 112. Reported with amendment, 198. Recommitted to Senator McGrew, 216.
- 129, S.** A bill to amend chapter 22 of the revised statutes of 1878, entitled of the distribution of public documents. Senator Hyde. To committee on Education, 112. Reported with amendment, 260. Amendment adopted, ordered engrossed and read third time, 295. Engrossed, 318. Read third time and passed, 334. Assembly concurs, 423. Enrolled, 441. Approved, 492. Published as chapter 118.
- 130, S.** A bill to repeal sections 509, 510 and 511 of chapter 27 of the revised statutes, entitled of the purchase and distribution of dictionaries. Senator Blackstone. To committee on State Affairs, 112. Reported adversely, 247. Indefinitely postponed, 281.
- 131, S.** A bill to vacate a portion of a certain state road in the county of Dane. Senator Burrows. To committee on Roads and Bridges, 112. Reported favorably, 317. Ordered engrossed and read a third time, 337. Engrossed, 358. Rules suspended, read third time and passed, 365. Assembly lays on the table, 588.
- 132, S.** A bill to provide for the appointment of trustees for the control of the public charitable and reformatory institutions of the state, and defining certain powers thereof, and to provide for the inspection of all reformatory and charitable institutions. Senator Bennett. To committee on Charitable and Penal Institutions, 113. Reported indefinite postponement, 474. Laid over, 499. Laid over, 525. Indefinitely postponed, 580.

- No. 133, S.** A bill to authorize W. F. Bailey, Geo. W. Mason, R. J. Kepler and A. S. Dodge, and their associates and assigns, to build and maintain a bridge over and across the Chippewa river. Senator Griffin. To committee on Roads and Bridges, 113. Reported favorably, 260. Ordered engrossed and read third time, 295. To committee on Railroads. Reported with amendment, 331. Amendments adopted. Ordered engrossed and read third time, 350. Engrossed, 358. Read third time and passed, 372. Concurred in, 454. Enrolled, 455. Approved, 493. Published as chapter 142.
- 134, S.** A bill to amend chapter 231 of the laws of 1876, entitled an act to amend and re-enact, as amended, chapter 333 of the laws of 1875, entitled an act to amend chapter 16 of the private and local laws of 1872, entitled an act to incorporate the city of Eau Claire, so as to authorize the construction of water works by and for said city. Senator Griffin. To committee on Incorporations, 113. Reported favorably, 278. Ordered engrossed and read third time, 295. Engrossed, 318. Read third time and passed, 334. Concurred in, 455. Enrolled, 503. Approved, 549. Published as chapter 181.
- 135, S.** A bill to appropriate to the State Agricultural Society the sum of money therein named. Senator McFetridge. To committee on Agriculture, 113. Reported with amendment, 292. Re-committed to committee on Claims, 308. Reported with amendments, 355. Laid over, 375. Amendments adopted. Ordered engrossed and read third time, 392. Engrossed, 396. Passed, 418. Concurred in, 456. Enrolled, 454. Approved, 493. Published as chapter 148.
- 136, S.** A bill to authorize D. P. Simons, his associates and assigns, to construct and maintain a dam across, and otherwise improve, Battinut creek, in Pierce county, Wisconsin. Senator Griffin. To committee on Incorporations, 113. Reported favorably, 278. Laid over, 296. Ordered engrossed and read third time, 307. Engrossed, 339. Read third time and passed, 348. Concurred in, 483. Enrolled, 503. Approved, 549. Published as chapter 184.
- 137, S.** A bill to amend section 2922 of the revised statutes, concerning costs and fees allowed to parties in circuit courts. Senator Griffin. To committee on Judiciary, 113. Reported favorably, 197. Ordered engrossed and read third time, 215. Engrossed, 234. Read third time and passed, 251. Assembly amends and concurs, 406. To Judiciary committee with amendments, 406. Rules suspended and amendments concurred in, 411. Enrolled, 454. Approved, 493. Published as chapter 147.
- 138, S.** A bill to appropriate to the Northern Wisconsin Agricultural and Mechanical Association a sum of money therein named. Senator Kelly. To committee on Agriculture, 113. Reported favorably, 292. Re-committed to committee on Claims, 308. Reported favorably, 355. Ordered engrossed and read a third time, 376. Engrossed, 380. Read third time and passed, 389. Assembly concurs, 423. Enrolled, 442. Approved, 492. Published as chapter 132.
- 139, S.** A bill to amend section 5 of chapter 51 of the general laws of 1866, entitled an act to authorize the use of money arising from the sale of certain swamp and overflowed lands in the counties of Manitowoc and Calumet, for drainage and other purposes, and to amend chapter 537 of the laws of 1865, relating thereto. Senator Carter. To special committee consisting of Senators Carter and Rankin, 113. Reported favorably,

248. Ordered engrossed and read a third time, 281. Engrossed, 318. Read third time and passed, 334. Assembly concurs, 423. Enrolled, 441. Approved, 492. Published as chapter 119.
- No. 140, S. A bill to authorize S. S. Vangn to build and maintain a dam across Long lake branch of White river, Bayfield county, Wisconsin. Senator Fifield. To committee on Incorporations, 114. Reported adversely, 279. Indefinitely postponed, 283.
- 141, S. A bill to authorize the commissioners of public lands to loan a portion of the state funds to the town of Loraine, in the county of Polk. Senator Fifield. To committee on State Affairs, 114. Reported favorably, 247. Ordered engrossed and read a third time, 281. Engrossed, 318. Read third time and passed, 334. Assembly concurs, 510. Enrolled, 561. Approved, 580. Published as chapter 270.
- 142, S. A bill to authorize Alex. Welcome to build and maintain a dam across Long lake branch of White river, in Bayfield county, Wisconsin. Senator Fifield. To committee on Incorporations, 114. Reported adversely, 279. Indefinitely postponed, 283.
- 143, S. A bill to authorize S. S. Fifield to build and maintain a dam across White river in Bayfield county, Wisconsin. Senator Fifield. To committee on Incorporations, 114. Reported adversely, 279. Indefinitely postponed, 283.
- 144, S. A bill to amend section 1979 of chapter 90 of the revised statutes of 1878, relating to organization for protection against fire. Senator Anderson. To committee on Finance, Banks and Insurance, 119. Reported favorably, 159. Ordered engrossed and read third time, 171. Engrossed, 199. Read third time and passed, 214. Indefinitely postponed, 419.
- 145, S. A bill in relation to swamp lands in the counties of Marathon, Chippewa, Clark, Shawano, Oconto and Marinette. Senator Kellogg. To committee on Public Lands, 120. Reported with amendment, 331. Recommitted to Judiciary committee, 351. Reported favorably with amendment, 443. Amendments adopted. Refused engrossment, 459. Motion to reconsider, 482. Reconsidered. Recommitted to special committee, Senators Kelly, Griffin and Anderson, 498. Reported with amendments, 521. Amended. Ordered engrossed, 543. Rules suspended and passed, 544. Engrossed, 546. Assembly amends, 549. Senate concurs, 550. Enrolled, 560. Approved, 582. Published as chapter 261.
- 146, S. A bill to appropriate to the county of Kenosha a certain sum of money therein named. Senator Quarles. To committee on Claims, 120. Reported adversely, 355. Recommitted to Judiciary committee, 375. Reported favorably, 411. Ordered engrossed and read third time, 435. Engrossed, 450. Rules suspended, read third time and passed, 451. Assembly refuses to order to a third reading, 539.
- 147, S. A bill to appropriate the sum of one thousand dollars to the Central Wisconsin Agricultural and Mechanical Association. Senator Bennett. To committee on Claims, 120. Reported with amendments, 355. Laid over, 375. Amendments adopted. Ordered engrossed and read third time, 393. Engrossed, 396. Passed, 418. Concurred in, 436. Enrolled, 454. Approved, 493. Published as chapter 149.
- 148, S. A bill to provide for the collection of statistics of pauperism and crime. Senator Bennett. To committee on Charitable and Penal Institutions, 120. Reported with amendment, 167.

Amendments adopted. Ordered engrossed and read third time, 196. Engrossed, 205. Read third time and passed, 229. Assembly concurs. Enrolled, 561. Approved, 590. Published as chapter 271.

- No. 149, S. A bill to preserve and promote the public health in the city of Milwaukee. Senator Paul. Referred to special committee of Milwaukee senators, 120. Reported with amendments, 318. Amendments adopted. Ordered engrossed and read third time, 337. Engrossed, 358. Read third time and passed, 372. Assembly amends and concurs in Assembly amendments concurred in, 445. Enrolled, 473. Approved, 548. Published as chapter 206.
- 150, S. A bill for the more effectual prevention of cruelty to children and animals. Senator Paul. To Milwaukee Delegation, 120. Recommitted to committee on Charitable and Penal Institutions, 346. Reported adversely, 356. Indefinitely postponed, 376.
- 151, S. A bill to confer certain police powers upon agents of the Wisconsin Humane Society. Senator Paul. To committee on Judiciary, 120. Reported favorably, 157. Ordered engrossed and read third time, 171. Engrossed, 199. Recommitted to Judiciary committee, 214. Reported with amendments, 343. Amendments adopted. Read third time and passed, 363. Concurred in, 455. Enrolled, 472. Approved, 548. Published as chapter 179.
- 152, S. A bill amendatory of chapter 217, laws of 1874, entitled an act to appropriate to James Reynolds and John Fellenz a sum of money therein named, and to authorize them to bring an action against the state for the amount of their claim not covered by such appropriation. Senator Paul. To committee on Judiciary, 120. Reported favorably, 394. Ordered engrossed, 420. Engrossed, 437. Refused passage. Vote by which bill refused passage reconsidered. Motion laid over, 446. Reconsidered and passed, 484. Assembly indefinitely postpones, 539.
- 153, S. A bill relating to the Milwaukee Industrial School for Girls. Senator Paul. To Milwaukee Delegation, 120. Reported adversely, 534. Indefinitely postponed, 554.
- 154, S. A bill to appropriate to the Bell Telephone Company, of Madison, Wisconsin, a sum of money therein named. Senator Blackstone. To committee on Claims, 121. Reported adversely, 168. Laid over, 195. Amendment offered and adopted. Ordered engrossed and read third time, 232. Engrossed, 234. Read third time and passed, 251. Assembly concurs, 445. Enrolled, 454. Approved, 493. Published as chapter 145.
- 155, S. A bill to correct and fix the boundaries between the county of New and the county of Shawano, and for the separate organization of the county of New, and to repeal such portions of sections 12, 13, 14 and 15 of chapter 114 of the general laws of 1879, as conflict with this act. Senator Bennett. To committee on Town and County Affairs, 121. Reported favorably with amendments. Rules suspended and passed, 442. Reconsidered. Amendments offered. Laid over, 486. Amended. Ordered engrossed, 507. Engrossed, rules suspended and passed, 509. Concurred in, 538. Enrolled, 547. Approved, 579. Published as chapter 247.
- 156, S. A bill to provide for the erection of a county hospital for the county of Milwaukee. Senator Van Schalck. To Milwaukee Delegation, 121. Reported adversely, 272. Indefinitely postponed, 297.

- No. 157, S.** A bill relating to remedies supplementary to execution, and amendatory of section 3033 of the revised statutes. Senator Thomas. To committee on Judiciary, 121.
- 158, S.** A bill authorizing judgments of the supreme court to be docketed in the circuit court. Senator Thomas. To committee on Judiciary, 121. Reported favorably, 197. Ordered engrossed and read third time, 215. Engrossed, 234. Read third time and passed, 251. Assembly concurs, 371. Enrolled, 398. Approved, 491. Published as chapter 93.
- 159, S.** A bill to aid the Eastern Monroe Agricultural Society. Senator Price. To committee on Agriculture, 121. Reported favorably, 292. Recommitted to committee on Claims, 308. Reported with amendments, 345. Amendments adopted. Ordered engrossed and read third time, 363. Engrossed, 367. Read third time and passed, 381. Assembly concurs, 423. Enrolled, 441. Approved, 493. Published as chapter 120.
- 160, S.** A bill to authorize A. E. Sawyer, Daniel Austin and Richard Dewhurst to build and maintain a dam across Black river. Senator Price. To committee on Incorporations, 121. Reported favorably, 169. Ordered engrossed and read third time, 195. Engrossed, 205. Read third time and passed, 229. Assembly concurs, 322. Enrolled, 360. Approved, 404. Published as chapter 77.
- 161, S.** A bill to provide for the better accommodation of the incurable insane of Waupaca county. Senator Kellogg. To special committee consisting of Senator Kellogg, 121. Reported with amendment. Referred to Judiciary committee, 346. Reported with amendments, 411. Amendments adopted and ordered engrossed, 438. Engrossed, 450. Passed, and clerk instructed to correct title, 465. Assembly concurs, 510. Enrolled, 546. Approved, 579. Published as chapter 237.
- 162, S.** A bill to amend the charter of the Wausau Boom Company. Senator Kellogg. To special committee consisting of Senator Kellogg, 121. Indefinitely postponed, 555.
- 163, S.** A bill to appropriate to the Northern Hospital for the Insane a certain sum of money therein named. Senator Haben. To committee on Charitable and Penal Institutions, 122. Reported adversely: Rules suspended and indefinitely postponed, 547.
- 164, S.** A bill in relation to costs and fees, and amendatory of section 252 of the revised statutes of 1878. Senator Houghton. To committee on Judiciary, 122. Reported favorably, 197. Ordered engrossed and read third time, 215. Engrossed, 234. Read third time and passed, 251. Assembly concurs, 371. Enrolled, 398. Approved, 491. Published as chapter 91.
- 165, S.** A bill to amend section 1 of chapter 160 of the laws of 1873, relating to the charter of the city of Madison. Senator Burrows. To Senator Burrows, 122.
- 166, S.** A bill to amend section 14 of chapter 11 of chapter 500 of the private and local laws of 1863, entitled an act to consolidate and amend an act to incorporate the city of Madison, and the several acts amendatory thereof. Senator Burrows. To Senator Burrows, 122.
- 167, S.** A bill to consolidate and amend an act entitled an act to incorporate the city of Madison, and the several acts amendatory thereof. Senator Burrows. To Senator Burrows, 122. Recommitted to Dane County Delegation, 319. Reported with amendments, 402. Rules suspended. Read third time and passed, 402. Engrossed, 461. Assembly amends and concurs, 484. Assembly amendments concurred in, 484. Enrolled, 547. Received from the governor, 568. Assembly reconsiders and amends, 570. Senate concurs, 570. Enrolled, 578. Approved, 582. Published as chapter 323.

- No. 168, S. A bill relating to the opening of streets and alleys in the city of Madison, and to repeal chapter 5 of chapter 500 of the private and local laws of 1838. Senator Burrows. To Senator Burrows, 122.
- 169, S. A bill to amend section 1795 of the revised statutes, relating to corporations. Senator Dering. To committee on Railroads, 122. Reported favorably, 331. Recommitted to committee on Railroads, 332. Reported favorably, 397. Laid over, 421. Engrossed, read third time, 497. Engrossed, 508. Passed, 524. Assembly indefinitely postpones, 538.
- 170, S. A bill to amend section 2018 of chapter 129 of the revised statutes, entitled of costs and fees allowed to parties in circuit courts. Senator Kellogg. To committee on Judiciary, 122. Reported favorably, 197. Ordered engrossed and read third time, 215. Engrossed, 234. Read third time and passed, 251. Assembly refuses to concur, 371.
- 171, S. A bill to fix a salary for sheriffs. Senator McGrew. To committee on Judiciary, 122. Reported favorably, 286. Laid over, 308. Amendment offered. Laid over with pending amendment, 337. Laid over, 351. Recommitted with pending amendments to Judiciary committee, 364. Reported favorably with amendments, 471. Amended, ordered engrossed, 506. Engrossed, 519. Passed, 534. Indefinitely postponed, 574.
- 172, S. A bill to amend section 1797 of the revised statutes, in relation to the salary of the clerk of the railroad commissioner. Senator Haben. To committee on Judiciary, 123. Recommitted to committee on Railroads, 163. Reported favorably, 299. Recommitted to committee on Claims, 325. Reported favorably, 345. Ordered engrossed and read third time, 363. Engrossed, 367. Read third time and passed, 382. Assembly concurs, 510. Enrolled, 546. Approved, 579. Published as chapter 235.
- 173, S. A bill providing for the erection of an institute for the deaf and dumb on the site of old Fort Winnebago. Senator Dering. To committee on Charitable and Penal Institutions, 123. Reported adversely, 227. Recommitted to committee on Claims, 227. Reported adversely, 345. Indefinitely postponed, 364.
- 174, S. A bill to repeal certain provisions of section 2473 of the revised statutes, relating to juries in county courts. Senator Sutherland. To committee on Judiciary, 123. Reported favorably, 197. Ordered engrossed and read third time, 215. Engrossed, 234. Read third time and passed, 251. Assembly concurs, 371. Enrolled, 398. Approved, 491. Published as chapter 86.
- 175, S. A bill construing section 1210 of the revised statutes of 1878, entitled of taxation. Senator Griffin. To committee on Judiciary, 123. Laid over, 308. Recommitted to committee on Judiciary, 325. Reported adversely, 529. Recommitted to Milwaukee Delegation, 529. Reported adversely, 537. Indefinitely postponed, 554.
- 176, S. A bill to repeal section 4073 of chapter 176 of the revised statutes, entitled of evidence. Senator Griffin. To committee on Judiciary, 123. Reported favorably, 197. Ordered engrossed and read third time, 215. Engrossed, 234. Recommitted to Judiciary committee, 252. Reported with amendments, 286. Reported adversely, 332. Indefinitely postponed, 351.
- 177, S. A bill to authorize John H. Knapp, Henry B. Stout, Andrew Tainter, William Wilson, Thomas B. Wilson and John H. Douglass, their associates, successors and assigns, to erect and

maintain a dam across the Red Cedar river, on lands owned by the Knapp, Stout & Co. Company. Senator Griffin. To committee on Incorporations, 123. Reported favorably, 169. Ordered engrossed and read third time, 195. Engrossed, 206. Read third time and passed, 229. Assembly amends and concurs, 321. Senate concurs in assembly amendments, 323. Enrolled, 360. Approved, 404. Published as chapter 76.

- No. 178, S. A bill to authorize Delos R. Moon, his associates or assigns, to improve Wolf river, a tributary of the north fork of the Eau Claire river, in the counties of Clark, Chippewa and Eau Claire. Senator Griffin. To committee on Incorporations, 123. Reported favorably, 278. Ordered engrossed and read third time, 295. Engrossed, 339. Read third time and passed, 348. Concurred in, 455. Enrolled, 503. Approved, 549. Published as chapter 182.
- 179, S. A bill to authorize Delos R. Moon, his associates or assigns, to improve Muskrat river, a tributary of the Eau Claire river, in the county of Eau Claire. Senator Griffin. To committee on Incorporations, 123. Reported favorably, 278. Ordered engrossed and read third time, 295. Engrossed, 339. Read third time and passed, 348. Concurred in, 455. Enrolled, 488. Approved, 548. Published as chapter 178.
- 180, S. A bill to authorize Delos R. Moon, his associates or assigns, to improve Otter creek, a tributary of Wolf river, in the counties of Clark and Chippewa. Senator Griffin. To committee on Incorporations, 124. Reported favorably, 278. Ordered engrossed and read third time, 295. Engrossed, 339. Read third time and passed, 348. Concurred in, 456. Enrolled, 473. Approved, 548. Published as chapter 177.
- 181, S. A bill to amend chapter 231 of the laws of 1876, entitled an act to amend and re-enact as amended, chapter 333 of the laws of 1875, entitled an act to amend chapter 16 of the private and local laws of 1872, entitled an act to incorporate the city of Eau Claire, so as to authorize the construction of water works by and for said city. Senator Griffin. To committee on Incorporations, 124. Reported favorably with amendments, 449. Amendments adopted. Ordered engrossed, 469. Engrossed, 489. Passed, 512. Concurred in, 533. Enrolled, 562. Approved, 580. Published as chapter 263.
- 182, S. A bill to provide for draining wet or swamp lands, and lead or coal mines. Senator Griffin. To committee on Agriculture, 124. Reported favorably, 460. Ordered engrossed and read third time, 497. Engrossed, 520. Passed, 534. Assembly amends and concurs in, 557. Senate concurs, 558. Enrolled, 562. Approved, 582. Published as chapter 283.
- 183, S. A bill relating to the equalization of assessments. Senator Quarles. To committee on Judiciary, 124. Reported favorably, 316. Ordered engrossed and read third time, 337. Engrossed, 358. Read third time and passed, 373. Assembly concurs, 494. Enrolled, 562. Approved, 580. Published as chapter 291.
- 184, S. A bill to allow general accident insurance companies to do business in this state. Senator McFetridge. To committee on Finance, Banks and Insurance, 124. Reported with amendments, 159. Re committed to committee on Finance, Banks and Insurance, 172. Reported with amendment, 189. Amendment adopted. Ordered engrossed and read third time, 203. Engrossed, 205. Read third time and passed, 229. Assembly concurs, 371. Enrolled, 396. Approved, 491. Published as chapter 105.

- No. 185, S. A bill for the division of the counties of Clark and Marathon, and for the erection of the county of Webster. Senator Kellogg. To committee on Town and County Organization, 124. Reported adversely, 189. Laid over, 204. Laid over, 232. Amendment offered. Recommitted, with pending amendment, to committee on Town and County Affairs, 339. Reported adversely, 395. Indefinitely postponed, 420.
- 186, S. A bill in relation to the State Historical Society, and appropriating a sum of money. Senator Woodman. To committee on Printing, 124. Reported favorably, 277. Recommitted to committee on Claims, 296. Reported favorably, 355. Ordered engrossed and read third time, 376. Engrossed, 380. Read third time and passed, 390. Assembly concurs, 422. Enrolled, 430. Approved, 492. Published as chapter 106.
- 187, S. A bill to legalize the action of the board of supervisors of the county of Polk, in setting off and creating the town of Georgetown, in said county. Senator Fifield. To committee on Town and County Affairs, 124. Reported favorably, 154. Ordered engrossed and read third time, 163. Engrossed, 166. Read third time and passed, 194. Assembly concurs, 322. Enrolled, 360. Approved, 405. Published as chapter 74.
- 188, S. A bill to authorize the Chicago, St. Paul & Minneapolis Railway Company to abandon, under certain conditions, that portion of its railway lying between North Wisconsin junction and the St. Croix lake. Senator Fifield. To committee on Railroads, 125. Reported favorably, 166. Ordered engrossed and read third time, 195. Engrossed, 205. Read third time and passed, 229. Assembly concurs, 322. Enrolled, 360. Approved, 405. Published as chapter 78.
- 189, S. A bill to grant sixty days additional time to the North Wisconsin Railway Company for the completion of a portion of the railway, and to confer on aforesaid company the optional right therein mentioned. Senator Fifield. To committee on Railroads, 124. Reported with amendment, 331. Amendments adopted. Ordered engrossed and read third time, 350. Engrossed, 358. Recommitted to committee on State Affairs, 373. Reported favorably, 386. Read third time and passed, 407. Concurred in, 457. Enrolled, 472. Approved, 548. Published as chapter 176.
- 190, S. A bill to authorize Oscar F. Knapp to keep and maintain a ferry across the St. Croix river, between the town of Osceola Mills, Wisconsin, and Minnesota. Senator Fifield. To committee on Incorporations, 125. Recommitted to committee on Incorporations, 272. Reported favorably, 439. Ordered engrossed, 469. Engrossed, 489. Passed. Clerk instructed to correct title, 512. Concurred in, 538. Enrolled, 562. Assembly reconsiders and amends, 575. Senate concurs, 576. Enrolled, 578. Approved, 582. Published as chapter 320.
- 191, S. A bill to repeal sections 5 and 6 of chapter 192 of the general laws of 1879, in relation to game. Senator Fifield. To committee on State Affairs, 125. Reported favorably, 190. Ordered engrossed and read third time, 203. Engrossed, 205. Read third time and passed, 229. Vote reconsidered. Recommitted to committee consisting of the lake senators, 231. Reported favorably, 481. Passed, 496. Concurred in, 539. Enrolled, 561. Approved, 580. Published as chapter 287.
- 192, S. A bill to amend chapter 171 of the private and local laws of 1868, entitled an act to incorporate the Wisconsin River Improvement Company, and to amend chapter 298 of the laws of 1876, amendatory thereof. Senator Scott. To committee on Incorporations, 125. Reported with substitute. Substitute

ordered printed, 299. Recommitted to committee on Incorporations, 315. Reported with an amendment, 395. Amendment adopted. Ordered engrossed and read third time, 420. Engrossed, 450. Passed, 465. Concurred in, 540. Enrolled, 560. Approved, 580. Published as chapter 292.

- No. 193, S.** A bill to amend section 670 of the revised statutes of 1878, and chapter 190 of the general laws of 1879, relating to the organization of towns. Senator Scott. To committee on Town and County Organization, 125. Reported favorably, 154. Ordered engrossed and read a third time, 163. Engrossed, 166. Read third time and passed, 194. Assembly refuses to concur, 371.
- 194, S.** A bill to authorize the commissioners of public lands to loan a portion of the trust funds of the state to the county of Lincoln. Senator Scott. To committee on State Affairs, 125. Reported favorably, 247. Ordered engrossed and read third time, 281. Engrossed, 339. Read third time and passed, 347. Assembly amends and concurs, 494. Senate concurs, 495. Enrolled, 561. Approved, 580. Published as chapter 280.
- 195, S.** A bill to improve Muskrat and Hay creeks, tributaries of the Eau Claire river, in Eau Claire and Chippewa counties, and for driving logs out of said creeks. Senator Griffin. To Senator Griffin, 125.
- 196, S.** A bill to improve Hay creek, a branch of the Eau Claire river, in the county of Clark, for driving logs out of said creek. Senator Griffin. To Senator Griffin, 126. Recommitted to committee on Incorporations, 200. Reported favorably, 278. Laid over, 296. Ordered engrossed and read third time, 324. Engrossed, 343. Read third time and passed, 362. Concurred in, 456. Enrolled, 473. Approved, 458. Published as chapter 171.
- 197, S.** A bill to repeal section 2455 of the revised statutes of 1878, relating to county judges. Senator Woodman. To committee on Judiciary, 126. Reported adversely, 198. Indefinitely postponed, 216.
- 198, S.** A bill to repeal sections 113 to 117, inclusive, of revised statutes of 1878, relating to the legislature. Senator Woodman. To committee on Legislative Expenditures, 126.
- 199, S.** A bill to repeal chapter 203 of the laws of Wisconsin of 1879, entitled an act to limit the number of terms to which a person may be eligible to the office of county treasurer. Senator Houghton. To committee on Judiciary, 126. Reported favorably, 197. Ordered engrossed and read third time, 215. Engrossed, 234. Read third time and passed, 252. Assembly concurs, 371. Enrolled, 398. Approved, 491. Published as chapter 87.
- 200, S.** A bill to amend chapter 58 of the private and local laws of 1859, entitled an act to incorporate the Madison Gymnastic Association. Senator Burrows. To committee on Incorporations, 126. Reported favorably, 169. Ordered engrossed and read third time, 196. Engrossed, 205. Read third time and passed, 229. Assembly concurs, 323. Enrolled, 360. Approved, 405. Published as chapter 73.
- 201, S.** A bill to amend section 1480 of the revised statutes of 1878, relating to the prevention of the spread of noxious weeds. Senator Anderson. To committee on Agriculture, 126. Reported with amendment, 167. Amendment adopted, ordered engrossed and read third time, 196. Engrossed, 206. Read third time and passed, 229. Assembly amends and concurs, 347. Re-

ferred, with amendments, to committee on State Affairs, 347. Asks committee of conference, 355. Nonconcurrent in amendments, 376. Assembly recedes from amendments, 406. Enrolled, 413. Approved, 493. Published as chapter 201.

- No. 202, S. A bill to amend section 12 of chapter 84 of the private and local laws of 1864, entitled an act to incorporate the Black River Improvement Company, approved February 23, 1865. Senator Price. To committee on Incorporations, 133. Reported favorably. Recommended to Judiciary committee, 234. Reported with amendments favorably, 394. Amendments adopted, 421. Ordered engrossed and read third time, 422. Engrossed, 426. Amendment offered, recommitted with pending amendment to the Judiciary committee, 431. Reported favorably with amendment, 439. Rules suspended and passed, 440. Assembly amends. Senate concurs, 511. Enrolled, 532. Approved, 578. Published as chapter 225.
- 203, S. A bill to authorize the counties, towns, cities and school districts of this state to purchase the work therein mentioned. Senator Fifield. To Senator Fifield, 134. Recommended to committee on Town and County Affairs, 333. Reported adversely, 378. Recommended to Senator Fifield, 392.
- 204, S. A bill to amend section 1192 of chapter 50 of the revised statutes, entitled land sold for taxes. Senator Fifield. To Senator Fifield, 134.
- 205, S. A bill to amend section 948 of chapter 41 of the revised statutes of 1878, entitled general provisions relating to municipalities. Senator Fifield. To Senator Fifield, 134.
- 206, S. A bill to authorize John A. Humbird, Wm. H. Phipps, P. B. Jewell, and their associates and assigns, to construct and maintain a boom in the St. Croix Lake. Senator Fifield. To Senator Fifield, 134. Reported with amendments, 521. Amended. Rules suspended and passed, 544. Engrossed, 556. Assembly concurs, 570. Enrolled, 577. Approved, 582. Published as chapter 319.
- 207, S. A bill to restore the common law in certain cases. Senator Fifield. To Senator Fifield, 134.
- 208, S. A bill to repeal section 1816 of chapter 87 of the revised statutes of 1878, entitled of railroads. Senator Fifield. To Senator Fifield, 134.
- 209, S. A bill to attach the counties of Ashland and Bayfield to the seventh judicial circuit, and fixing the time for holding terms of court in said counties. Senator Fifield. To Senator Fifield, 134. Recommended to Judiciary committee, 249. Reported adversely, 286. Rules suspended. Indefinitely postponed, 297.
- 210, S. A bill to amend subdivision 3 of section 2586 of the revised statutes of 1878, relating to admissions to the bar. Senator Quarles. To committee on Judiciary, 134. Reported favorably, 343. Ordered engrossed and read third time, 363. Engrossed, 367. Read third time and passed, 382. Assembly indefinitely postpones, 445.
- 211, S. A bill to amend chapter 2 of chapter 12 of the private and local laws of 1858, entitled an act to incorporate the city of Ripon. Senator Sutherland. To committee on Incorporations, 134. Reported favorably, 429. Ordered engrossed, 443. Engrossed, 450. Passed, 465. Concurred in, 540. Enrolled, 564. Approved, 581. Published as chapter 286.

- No. 212, S. A bill to legalize the actions of Deutsche Gegen seitige Farmer-Feuer-Versicherungs-Gesellschaft von Town Mishicott, Manitowoc county, Wisconsin, being a town insurance company organized under the laws of the state of Wisconsin, and located in the town of Mishicott, Manitowoc county, Wisconsin. Senator Sacket. To Senator Rankin, 135.
- 213, S. A bill to amend chapter 3 of chapter 72 of the private and local laws of 1858, entitled an act to incorporate the city of Ripon. Senator Sutherland. To committee on Incorporations, 135. Reported favorably, 169. Ordered engrossed and read third time, 195. Engrossed, 206. Read third time and passed, 229. Assembly concurs, 322. Enrolled, 360. Approved, 405. Published as chapter 72.
- 214, S. A bill to legalize the action of the board of supervisors of Lincoln county. Senator Scott. To committee on Judiciary, 135. Reported favorably, 197. Ordered engrossed and read third time, 216. Engrossed, 234. Read third time and passed, 251. Assembly concurs, 371. Enrolled, 398. Approved, 492. Published as chapter 88.
- 215, S. A bill to authorize M. P. Beebe, his associates and assigns, to erect and maintain a dam across, and make other improvements in, Price river, in Lincoln county. Senator Scott. To committee on Incorporations, 135. Reported favorably, 244. Ordered engrossed and read third time, 253. Engrossed, 278. Indefinitely postponed, 294.
- 216, S. A bill to authorize the Jenny Boom Company, to maintain booms in the Wisconsin river. Senator Scott. To committee on Incorporations, 135.
- 217, S. A bill to amend the subdivisions entitled additional powers of peculiar corporations, of chapter 86 of the revised statutes of Wisconsin, entitled of the organization of corporations. Senator Scott. To committee on Incorporations, 135. Recommended to the Judiciary committee, 169. Reported with amendments, 343. Amendments adopted. Ordered engrossed and read third time, 363. Engrossed, 380. Read third time and passed, 389. Assembly amends and concurs, 494. Recommended to Senator Griffin, 495. Reported with amendments, 509. Senate concurs, 524. Enrolled, 561. Approved, 581. Published as chapter 279.
- 218, S. A bill relating to the board of state canvassers, and amendatory of section 58 of chapter 5 of the revised statutes of 1878. Senator Paul. To committee on Judiciary, 135. Reported favorably, 235. Recommended to committee on Claims, 235. Reported with amendments, 260. Amendments adopted. Ordered engrossed and read third time, 296. Engrossed, 339. Read third time and passed, 348. Assembly concurs, 494. Ayes and noes taken, 552. Assembly concurs, 570. Enrolled, 578. Approved, 582. Published as chapter 318.
- 219, S. A bill to amend section 1 of chapter 80 of private and local laws of 1855, entitled an act supplementary to an act to incorporate the Milwaukee Mechanics' Mutual Insurance Company, relating to restrictions in the bringing of suits. Senator Van Steenwyk. To committee on Judiciary, 135. Reported favorably, 168. Ordered engrossed and read third time, 195. Engrossed, 206. Recommended to Judiciary committee, 230. Reported with amendments, 235. Amendments adopted. Read third time and passed. Ordered re-engrossed, 252. Assembly concurs, 371. Enrolled, 399. Approved, 492. Published as chapter 111.

- No. 220, S. A bill to amend section 1798, chapter 87, revised statutes of 1878 entitled of railroads. Senator Bennett. To Senator Bennett, 136. Reported with amendment. Recommended to committee on Railroads, 145. Reported unfavorably, 398. Indefinitely postponed, 420.
- 221, S. A bill to amend section 181 of the revised statutes, relating to sheriffs' fees. Senator Kellogg. To committee on Judiciary, 136. Reported favorably, 286. Ordered engrossed and read third time, 307. Engrossed, 339. Read third time and passed, 348. Concurred in, 456. Enrolled, 473. Approved, 543. Published as chapter 175.
- 222, S. A bill to amend chapter 35, laws of 1879, entitled an act regulating the use and improvement of stock. Senator Chipman. To committee on Agriculture, 136. Reported adversely, 292. Indefinitely postponed, 308.
- 223, A. A bill relating to and amendatory of the charter of the city of Portage. Senator Dering. To Senator Dering, 136. Recommended to committee on Town and County Affairs, 318. Reported favorably, 378. Ordered engrossed and read third time, 392. Engrossed, 396. Passed, 417. Assembly concurs, 510. Enrolled, 547. Approved, 579. Published as chapter 236.
- 224, S. A bill relating to the payment and collection of taxes by county treasurers, and amendatory of section 1121 of the revised statutes. Senator Dering. To committee on Judiciary, 136. Recommended to committee on State Affairs, 261. Reported adversely, 292. Indefinitely postponed, 308.
- 225, S. A bill in relation to fences, and to amend section 1391 of the revised statutes of 1878. Senator Dering. To committee on Judiciary, 136. Recommended to committee on Agriculture, 261. Reported favorably, 292. Ordered engrossed and read third time 307. Engrossed, 318. Read third time and passed, 334. Assembly concurs, 423. Enrolled, 441. Approved, 493. Published as chapter 138.
- 226, S. A bill relating to fees and costs, and to amend the revised statutes of 1878. Senator Dering. To committee on Judiciary, 136. Reported favorably, 261. Ordered engrossed and read third time, 295. Engrossed, 339. Read third time and passed, 348. Concurred in, 456. Enrolled, 473. Approved, 548. Published as chapter 174.
- 227, S. A bill to amend section 2781 of the revised statutes of 1878, relating to proceedings by attachment. Senator Quarles. To committee on Judiciary, 136. Reported with amendments, 368. Amendments adopted. Ordered engrossed and read third time, 384. Engrossed, 396. Passed, 417. Assembly amends and concurs, 494. Senate concurs, 495. Enrolled, 547. Approved, 579. Published as chapter 233.
- 228, S. A bill to amend chapter 407 of the private and local laws of 1863, entitled an act to enable the city of Kenosha to readjust and fund its indebtedness. Senator Quarles. To committee on Judiciary, 136. Reported favorably, 332. Ordered engrossed. Rules suspended. Read third time and passed, 351. Engrossed, 367. Concurred in, 456. Enrolled, 473. Approved, 548. Published as chapter 172.
- 229, S. A bill to appropriate to R. R. Fallows a sum of money therein named. Senator Quarles. To committee on Claims, 137. Reported adversely, 355. Laid over, 375. Amendment offered and adopted. Ordered engrossed and read third time, 393. Engrossed, 396. Passed, 418. Concurred in, 456. Enrolled, 454. Approved, 549. Published as chapter 213.

- No. 230, S.** A bill to appropriate a sum of money therein named for the erection in the county of Brown, upon a suitable site, to be donated by the citizens of the said county, of an institution for the education of the deaf and dumb. Senator Kelly. To committee on Charitable and Penal Institutions, 187. Reported adversely, 227. Recommended to committee on Claims, 227. Reported with amendment, 345. Laid over, 364. Recommended to Senator Kelly, 389.
- 231, S.** A bill to amend section 2424 of the revised statutes, relating to the time of holding court in Brown county. Senator Kelly. To committee on Judiciary, 187. Reported favorably, 197. Ordered engrossed and read third time, 216. Engrossed, 234. Read third time and passed, 251. Assembly concurs, 406. Enrolled, 414. Approved, 492. Published as chapter 169.
- 232, S.** A bill to appropriate a sum of money therein named to the Horticultural Society. Senator Kellogg. To joint committee on Claims, 137. Reported favorably, 355. Ordered engrossed and read third time, 376. Engrossed, 380. Read third time and passed, 390. Assembly concurs, 422. Enrolled, 441. Approved, 492. Published as chapter 121.
- 233, S.** A bill to authorize the commissioners of school and university lands to loan a portion of the trust funds to the town of Lincoln, Trempealeau county. Senator Kelly. To committee on State Affairs, 137. Reported with amendments, 247. Rules suspended. Amendments adopted. Read third time and passed, 247. Assembly amends and concurs, 494. Assembly amendments concurred in, 495. Enrolled, 562. Approved, 581. Published as chapter 282.
- 234, S.** A bill to appropriate a sum of money therein named for the purchase of a building or buildings located in the county of Brown, to be used as an institution for the education of the deaf and dumb, and for the fitting up of such building or buildings, and for the maintenance of such institution until March 1, 1881. Senator Kelly. To committee on Charitable and Penal Institutions, 137. Reported adversely, 279. Recommended to committee on Claims, 296. Reported adversely, 345. Recommended to Senator Kelly, 364.
- 235, S.** A bill relating to the law of libel. Senator Woodman. To Senator Woodman, 137. Recommended to committee on Judiciary, 345.
- 236, S.** A bill in relation to killing game for scientific purposes. Senator Woodman. To Senator Woodman, 137. Recommended to committee on State Affairs, 200. Reported favorably, 490. Ordered engrossed, 516. Engrossed, 520. Passed, 534.
- 237, S.** A bill relating to pardon of persons convicted of crime. Senator Woodman. To Senator Woodman, 138.
- 238, S.** A bill to provide a more equitable assessment of property, and to prevent double taxation of same. Senator Anderson. To Senator Anderson, 138.
- 239, S.** A bill to authorize mutual hail insurance companies of other states to do business in this state. Senator Anderson. To committee on Finance, Banks and Insurance, 138. Reported with amendment, 299. Amendments adopted. Ordered engrossed and read a third time, 324. Engrossed, 358. Read third time and passed, 373. Assembly concurs, 510. Enrolled, 562. Approved, 581. Published as chapter 281.

- No. 240, S. A bill to amend chapter 89, laws of 1877, entitled an act to incorporate the city of Chilton. Senator Carter. To Senator Carter, 133. Reported favorably. Recommended to committee on Incorporations, 248. Reported favorably, 332. Ordered engrossed and read third time, 350. Engrossed, 358. Read third time and passed, 373. Assembly concurs, 445. Enrolled, 473. Approved, 549. Published as chapter 173.
- 241, S. A bill to establish the superior court of Milwaukee county, to repeal the civil jurisdiction of the county court of said county, and to provide salaries for the judges of said superior and county courts. Senator Hyde. To Milwaukee Delegation, 138. Reported unfavorably, 537. Indefinitely postponed, 554.
- 242, S. A bill relating to actions for libel, and the remedies and penalties therefor. Senator Sutherland. To Senator Sutherland, 138.
- 243, S. A bill pertaining to, and amendatory of the charter of the city of Milwaukee. Senator Hyde. To Senator Hyde, 138. Reported without recommendation. Ordered printed, 455. Ordered engrossed, 516. Engrossed, 520. Passed, 534. Clerk instructed to correct title, 535. Assembly concurs, 557. Enrolled, 560. Approved, 581. Published as chapter 278.
- 244, S. A bill to amend section 4564 of chapter 185 of the revised statutes of 1878, entitled of offenses against public policy. Senator Griffin. To committee on Judiciary, 138. Recommended to committee on State Affairs, 343. Reported with amendments, 490. Amended and ordered engrossed, 516. Engrossed, 520. Passed, 534. Amended and concurred in, 557. Senate concurs, 558. Enrolled, 560. Approved, 581. Published as chapter 277.
- 245, S. A bill to amend chapter 124 of the revised statutes, relating to attachment. Senator Sutherland. To Senator Sutherland, 139.
- 246, S. A bill to authorize Joseph S. Wilson, his associates and assigns, to construct and maintain a boom and piers in the Chippewa river in the city of Eau Claire. Senator Griffin. To committee on Incorporations, 139. Reported with amendment, 314. Amendment adopted, ordered engrossed and read third time, 337. Engrossed, 358. Read third time and passed, 373. Concurred in, 456. Enrolled, 464. Approved, 493. Published as chapter 146.
- 247, S. A bill relating to jurisdiction of justices of the peace in civil actions, and to amend sections 3568, 3569, 3616 and 3617 of the revised statutes of 1878. Senator Burrows. To committee on Judiciary, 139. Reported indefinite postponement, 471. Indefinitely postponed, 499.
- 248, S. A bill relating to the competency of witnesses in certain cases. Senator Burrows. To committee on Judiciary, 139. Reported indefinite postponement, 453. Indefinitely postponed, 470.
- 249, S. A bill to amend section 1570 of chapter 67 of the revised statutes of 1878, relating to peddlers. Senator Burrows. To committee on State Affairs, 139. Reported with amendments. Recommended to Judiciary committee, 460. Reported favorably with amendments, 471. Recommended to Judiciary committee, 497. Reported with amendments, 504. Amendment adopted. Ordered engrossed, 516. Engrossed, 520. Passed 534. Assembly indefinitely postpones, 557.

- No. 250, S.** A bill to amend section 129 of chapter 11 of the revised statutes, entitled of the state officers. Senator Burrows. To committee on State Affairs, 139. Reported favorably, 299. Recommitted to committee on Claims, 325. Reported favorably, 368. Amendments off red. Laid over, 384. Amendments adopted. Ordered engrossed and read third time, 392. Engrossed, 398. Passed, 417. Assembly amends and concurs, 494. Assembly amendments concurred in, 495. Enrolled, 547. Approved, 579. Published as chapter 257.
- 251, S.** A bill to amend section 422 of the revised statutes, relating to the alteration of school districts. Senator Burrows. To committee on Education, 139. Engrossed, 235. Laid over, 253. Indefinitely postponed, 325.
- 252, S.** A bill to define and fix the liabilities of persons or corporations owning or running sleeping cars within this state. Senator McFetridge. To committee on Judiciary, 139. Reported favorably, 198. Recommitted to Judiciary committee, 198. Reported. Recommitted to Judiciary committee, 490. Reported indefinite postponement, 504. Indefinitely postponed, 517.
- 253, S.** A bill amending section 1220, chapter 51, of the revised statutes, in relation to license fees of life and accidental insurance companies doing business in the state of Wisconsin. Senator Sacket. To committee on Finance, Banks and Insurance, 139. Reported adversely, 399. Indefinitely postponed, 438.
- 254, S.** A bill to amend section 1313 of the revised statutes of 1878, in relation to the taxation of railroad, telegraph, fire, inland navigation and life insurance companies. Senator Chipman. To committee on Railroads, 140. Reported adversely, 243. Recommitted to Senator Fifield, 254. Reported unfavorably, 361. Indefinitely postponed, 376.
- 255, S.** A bill to construct a dam across the Chippewa river, above Paint creek, and below Little Falls dam, on said river. Senator Griffin. To Senator Griffin, 140. Recommitted to committee on Incorporations, 273.
- 256, S.** A bill to authorize the St. Paul & Chicago Short Line Railroad Company to construct bridges over the Chippewa and Wisconsin rivers. Senator Woodman. To committee on Railroads, 140. Recommitted to Senator from the 14th, 398.
- 257, S.** A bill to authorize the secretary of state to purchase sketches of the surviving members of the constitutional conventions. Senator Dering. To committee on State Affairs, 140. Reported adversely, 527. Indefinitely postponed, 554.
- 258, S.** A bill to appropriate to Wood county a sum of money therein named. Senator Scott. To committee on Claims, 140. Reported adversely, 355. Recommitted to Judiciary committee, 375. Reported with amendments, 411. Amendments adopted, ordered engrossed and read third time, 435. Engrossed, 450. Rules suspended, read third time and passed, 451. Assembly refuses to order to third reading, 539.
- 259, S.** A bill to amend the charter of the city of Green Bay. Senator Kelly. To Senator Kelly, 140. Reported favorably, 345. Amendments adopted. Rules suspended. Read third time and passed, 392. Assembly amends and concurs in, 494. Concurred in, 495. Enrolled, 564. Approved, 581. Published as chapter 285.

- No. 260, S.** A bill relating to a military road, so called, in the state of Wisconsin, and repealing the act exempting the same. Senator Kelly. To Senator Kelly, 140. Reported with amendment, 380. Recommended to committee on State Affairs, 380. Reported favorably with amendments, 451. Amendments adopted. Ordered engrossed, 469. Engrossed, 489. Passed, 512. Assembly amends and concurs in, 538. Senate concurs, 540. Enrolled, 561. Approved, 581. Published as chapter 288.
- 261, S.** A bill to allow a certain credit to Simeon Mills, late treasurer of the State Hospital for the Insane. Judiciary committee. To General File, 143. To committee on Claims, 150. Reported favorably, 158. Ordered engrossed and read third time, 172. Engrossed, 200. Laid over, 215. Laid over, 230. Laid over, 252. Indefinitely postponed, 276.
- 262, S.** A bill to regulate the disbursement of public money in certain cases, and prescribe penalties for misappropriation thereof. Committee on Charitable and Penal Institutions. To General File, 278. Laid over, 325. Amendment offered and adopted. Ordered engrossed and read third time, 351. Engrossed, 358. Recommended to Judiciary committee, 378. Reported with amendments, 411. Amendments adopted. Amendment offered and adopted. Ordered engrossed, 438. Engrossed, 450. Passed, 465. Assembly concurs, 540. Enrolled, 562. Approved, 581. Published as chapter 289.
- 263, S.** A bill to authorize the secretary of state to subscribe for biographical sketches of members of the constitutional conventions of 1846, 1847 and 1848. Joint Special committee. To committee on Claims. Reported favorably, 418. Ordered engrossed, 438. Correctly engrossed, 450. Passed, 465. Assembly concurs, 510. Enrolled, 561. Approved, 581. Published as chapter 275.
- 264, S.** A bill to provide for the transfer of insane persons from jails and poor houses to state and county asylums. Committee on Charitable and Penal Institutions. To General File. Ordered engrossed, 438. Vote by which bill ordered engrossed reconsidered. Amendment offered and adopted. Ordered engrossed, 439. Engrossed, 450. Passed, 465. Assembly amends and concurs, 539. Senate concurs, 540. Reconsidered, 554. Amendments 1, 2 and 4 concurred in. Amendment 3 non-concurred in, 555. Rules suspended and passed, 555. Assembly recedes from amendment No. 3, 569. Enrolled, 578. Void on account of the ayes and noes not having been taken.
- 265, S.** A bill to relieve a certain counter-claim of Simeon Mills from the effect of the statute of limitation. Judiciary committee. To General File, 411. Laid over, 448. Amendments adopted, ordered engrossed, 469. Engrossed, 490. Indefinitely postponed. Motion to reconsider vote, and that motion laid on the table, 513.
- 266, S.** A bill to provide for the more systematic and efficient management of hospitals for the insane. Committee on Charitable and Penal Institutions. To General File. Recommended to committee on Charitable and Penal Institutions, 470.
- 267, S.** A bill to provide for the settlement of accounts against the state for care of insane persons. Committee on Charitable and Penal Institutions. To General File, 442. Ordered engrossed and read third time, 469. Engrossed, 490. Passed, 512. Concurred in, 538. Enrolled, 562. Approved, 581. Published as chapter 276.
- 268, S.** A bill to authorize M. L. Martin to bring suit against the state. Judiciary committee. To General File. Indefinitely postponed, 525.

- No. 269, S.** A bill providing for the withdrawal from market and sale of certain state lands, and for other purposes. Committee on Federal Relations. To General File, 503. Recommitted to special committee, 555. Reported favorably. Rules suspended and passed, 557. Assembly concurs, 570. Enrolled, 577. Approved, 582. Published as chapter 816.
- 270, S.** A bill to provide for a state tax for the year A. D. 1880. Committee on Finance, Banks and Insurance. To General file, 532. Rules suspended and passed, 540. Concurred in, 557. Enrolled, 560. Approved, 281. Published as chapter 264.

## JOINT RESOLUTIONS — SENATE

## No. 1, S.

Provides for joint committee to wait on the governor. Senator Van Steerwyk. Adopted, 8. Concurred in by assembly, 9.

## No. 2, S.

That the joint rules of the last legislature be adopted as the joint rules of the present senate and assembly. Senator Grimmer. Adopted, 8. Concurred in by assembly, 13.

## No. 3, S.

Relating to the bridging of the Detroit river. Senator Burrows. Rules suspended. Adopted, 12. Assembly concurred, 39.

## No. 4, S.

That the houses of the legislature meet in joint convention in the assembly chamber, at 12 M., January 15, to receive the message of his excellency, the governor. Senator Price. Adopted, 12. Concurred in by assembly, 38.

## No. 5, S.

Limiting the time for the introduction of new business, except privileged resolutions, and bills and resolutions reported by standing or select committees, on subject matter previously referred to them, to the fifth of February. Senator Fifield. To committee on Legislative Expenses, 36. Reported favorably, 53. Rules suspended, 53. Amended. Amendment amended. Lost. Resolution adopted, 54. Assembly concurred, 74. Correctly enrolled, 88.

## No. 6, S.

In regard to the withdrawal of the legal tender character of United States notes. Senator Ryland. Lies over, 37. Postponed, 47. Referred to committee on Finance, Banks and Insurance, 57. Reported adversely, 108. Indefinitely postponed, 116.

## No. 7, S.

Requesting the senators and members of congress from Wisconsin to support a certain bill in relation to immediate transportation of dutiable goods. Senator Quarles, 49. Referred to committee on Federal Relations, 50. Reported favorably, 89. Adopted, 97. Assembly concurs, 202. Enrolled, 226.

## No. 8, S.

In relation to financial legislation in congress. Senator Price. Referred to committee on Finance, Banks and Insurance, 59. Reported with amendments, 108. Amendments adopted. Resolution adopted as amended, 116. Assembly concurs, 193. Enrolled, 199.

## No. 9, S.

That sections 4, 5, 11 and 21 of article IV of the constitution of this state be amended. Senator McGrew. To committee on State Affairs, 87. Reported adversely, 217. Laid over, 250. Laid aside, 424. Laid over, 426. Laid over, 465. Amended, adopted, 482. Assembly concurs, 523. Enrolled, 561.

## No. 10, S.

Requesting the United States ministers to England and Spain to use their best efforts to secure certain publications for the State Historical Society. Senator Burrows. Adopted, 102. Assembly concurs, 202. Enrolled, 226.

## No. 11, S.

Requesting senators and members of congress from Wisconsin to support such legislation as will place inter-state commerce under the control of a board of commissioners. Senator Anderson. Referred to committee on Federal Relations, 102. Reported with amendment, 260. Amendments adopted. Resolution adopted as amended, 293. Senate concurs in assembly amendment, 305. Assembly concurs, 361. Enrolled, 368.

## No. 12, S.

Providing for amendment to the state constitution regulating salaries of the state legislature. Senator Woodman. Referred to Judiciary committee, 119. Recalled and recommitted to committee on State Affairs, 150. Reported adversely, 490. Indefinitely postponed, 512.

## No. 13, S.

That the gift of ex-Governor C. C. Washburn, of his residence at Edge-wood, be accepted, and used by the state as a school for dependent or homeless children, or for such other purpose as may be approved of by the donor. Senator Burrows. Lies over, 132. To Senator Burrows, 143.

## No. 14, S.

For the final adjustment of the demand therein mentioned. Senator Kelly. Laid over, 133. Referred to Judiciary committee, 141. Reported adversely, 411. Recommited to Judiciary committee, 439. Reported without recommendation, 489. Laid over, 512. Indefinitely postponed, 525.

## No. 15, S.

That senators in congress from this state are hereby instructed, and the members of the house of representatives are requested, to vote for the prompt passage of the pending bill in congress to abolish or reduce the duty on imported printing paper, and the clerk of the senate is hereby instructed to forward a copy of this resolution to our senators and members of congress. Senator Rankin. Adopted, 276. Assembly refuses to concur, 333.

## No. 16, S.

That the governor be and he is hereby requested to return to the senate for further consideration, Nos. 30 and 114, S. Senator Scott. Adopted, 393. Assembly concurs, 405.

## No. 17, S.

Requesting the governor to return No. 83, S., to the senate for further consideration. Senator Blackstone. Adopted, 394. Concurred in by assembly, 405.

## No. 18, S.

Relating to the improvement of the Fox and Wisconsin rivers. Committee on Federal Relations, 412. Adoption recommended, 412. Adopted, 445. Concurred in, 483. Enrolled, 503.

## No. 19, S.

Requesting governor to return No. 46, S., for correction. Senator Ryland.  
Adopted, 482. Assembly concurs, 494.

## No. 20, S.

*Resolved by the senate, the assembly concurring,* That the governor be and he is hereby requested to return to the senate for further consideration, Nos. 270, A., 260, A., and 184, A. Senator Griffin, 565. Adopted, 565.

## No. 21, S.

*Resolved by the senate, the assembly concurring,* That his excellency the governor be and he is hereby respectfully requested to return to the senate for further consideration, No. 167, S. Senator Burrows. Adopted, 565. Concurred in, 570.

RESOLUTIONS — SENATE.

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No. 1, S.

Instructing clerk to notify assembly that the senate is organized. Senator McFetridge. Adopted, 6.

No. 2, S.

Appointing standing committees. Senator Sacket. Adopted, 6.

No. 3, S.

That the rules of the senate of last session be adopted as the rules of this senate until otherwise ordered. Senator Chipman. Amended. Adopted, 7. Reported correctly enrolled, 40.

No. 4, S.

Inviting resident clergymen of Madison to open sessions of the senate with prayer. Senator Hyde. Adopted, 7.

No. 5, S.

That the sergeant-at-arms is hereby authorized to employ one document room attendant. Senator Van Schaick. Adopted, 8.

No. 6, S.

That the sergeant-at-arms is hereby authorized to employ a wash-room attendant. Senator Houghton. Adopted, 12.

No. 8, S.

That the sergeant-at-arms is hereby authorized to employ an additional gallery attendant. Senator Burrows. Adopted, 37.

No. 9, S.

To furnish senators, the lieutenant governor, chief clerk and sergeant-at-arms of the senate, with one copy each of the revised statutes of 1878, one copy of the session laws of 1879, one copy of the senate journal, and one copy of the assembly journal for 1879. Senator Blackstone. Adopted, 37.

No. 10, S.

That the chairman of the committee on Engrossed Bills is hereby authorized to employ a clerk for said committee; that the sergeant-at-arms be and is hereby authorized to employ an attendant to the enrolling rooms, and an attendant to the rooms of chief clerk and president of senate. Senator Scott. Adopted, 39.

No. 11, S.

That the name of "committee on Insurance, Banks and Banking," be and the same is hereby amended so as to read "committee on Finance, Banking and Insurance," in conformity with No. 13 of the rules and orders of the senate. Senator Van Steenwyk. Adopted, 39.

No. 12, S.

Referring governor's message to various committees. Senator Sutherland. Adopted, 43.

## No. 13, S.

That the senate accept the generous offer of Mrs. Dunbar in regard to the waters of "Bethesda spring," and hereby also tender her a vote of thanks. Senator Hyde. Adopted, 43.

## No. 14, S.

That the use of the senate chamber is hereby tendered to Mrs. Mattie A. Bridge for the purpose of delivering her lecture on "Human Freedom." Senator Hyde. Adopted, 50.

## No. 15, S.

That the superintendent of public property be authorized to furnish each newspaper reporter, one copy of the revised statutes and session laws, to be furnished on the written certificate of the chief clerk of the senate that the applicants are regularly engaged in reporting the senate proceedings. Senator Sacket. Lies over, 50. Adopted, 57.

## No. 16, S.

That the railroad commissioner is requested to furnish the senate with the report of the committee of the national convention of railroad commissioners on the subject of the taxation of railroad securities, together with the abstract of the laws of various states and nations on the same subject, which is embodied therein, and that the clerk of the senate, on receipt of said report, is hereby directed to cause twelve hundred copies to be printed, one thousand for use of legislature and the remainder for official use of railroad commissioner. Senator Woodman. Lies over, 55. Resolution adopted, 59.

## No. 17, S.

That the superintendent of public property be and is hereby instructed to furnish to the chairman of judiciary committee of the senate, for the use of said committee, one copy of the revised statutes of 1878, and one copy each of the session laws and journals of the senate and assembly of 1879. Senator Houghton. Adopted, 76.

## No. 18, S.

Of the Wisconsin Dairymen's Association, in reference to discrimination in classification of freight. Senator Sutherland. Laid over, 77. Adopted, 90. Laid over, 250. Laid on table, 275.

## No. 19, S.

Relating to the granting of senate chamber to the State Agricultural and State Horticultural societies. Senator Anderson. Adopted, 110.

## No. 20, S.

Relating to amendment of criminal code. Senator Blackstone. Lies over, 133.

## No. 21, S.

That the use of the senate chamber be granted to the committee on Charitable and Penal Institutions, for the purpose of witnessing an examination of deaf and dumb mutes. Senator Hyde. Adopted, 151.

## No. 22, S.

That one thousand copies of the memorial of the State Board of Health for the passage of a law regulating the inspection, sale and use of illuminating oils, be printed, and that five hundred copies of the same be furnished to the State Board of Health for distribution. Senator Bennett. To committee on Manufactures and Commerce, 184. Reported favorably, 344. Adopted, 362.

No. 23, S.

That the assembly be requested to return No. 73, A., to the senate for further consideration. Senator Scott. Adopted, 259.

No. 24, S.

That the chief clerk be instructed to procure for the use of the senate 1,000 copies, in pamphlet form, of the reports of the majority and minority of the committee on State Affairs, on subject of biennial sessions. Senator Sacket. Adopted, 259.

No. 25, S.

That the report of the committee on Charitable and Penal Institutions, in reference to taxing church property, be spread upon the journal of the senate, and one thousand extra copies of the report printed, for general distribution. Senator B. nnett. Adopted, 291.

No. 26, S.

That the committee on State Affairs be and is hereby requested to report back with or without recommendation, joint resolution No. 10, A., for the action of the senate, and that it, with No. 9, S., be made the special order for Wednesday next at 8 P. M. Senator Richardson. Adopted, 340.

No. 27, S.

That the use of the senate chamber be tendered to the Hon. Horace Rublee for the delivery of a lecture "On the Political Institutions and History of Switzerland," for Friday evening, March 5, 1880, at 8 o'clock P. M. Senator Van Steenwyk. Adopted, 353.

No. 28, S.

That the assembly is hereby requested to return to the senate for further consideration No. 391, A. Senator Price. Adopted.

No. 29, S.

Requesting the railroad commissioner to report No. 252, S. Senator McFetridge. Adopted, 482.

No. 30, S.

Directing printing of 500 copies minority report on No. 79, S. Rules suspended. Adopted, 488.

No. 31, S.

Requesting assembly to return Jt. Res. No. 31. Adopted, 500.

No. 32, S.

Directing the secretary of state to furnish the sergeant-at-arms with copies of the Geological Survey. Senator Richardson, 545. Adopted, 546.

No. 33, S.

For the appointment of committee to investigate State Hospital for the Insane. Senator Richardson. Ruled out of order, 546.

No. 34, S.

That 500 copies of the report of the committee on Finance, Banks and Insurance, on 54, A., be printed for distribution. Senator Griffin. Adopted, 558.

No. 35, S.

That the assembly be requested to return No. 333, A., for amendment. Senator Price. Adopted, 558.

## No. 36, S.

That the journal of March 9th be corrected so as to show that Jt. Res. No. 9, S., amending sections 4, 5, 11 and 21 of the constitution of the state of Wisconsin, was amended. Senator McFetridge, 559. Adopted, 560.

## No. 38, S.

That his excellency, the governor, is hereby requested to adopt immediate and effectual measures for the complete and permanent expulsion from this capitol of all noxious and deleterious atmosphere, for the total abrogation of all direct or remote causes of the presence of such atmosphere, and for the preservation of the life, and the promotion of the health and convenience of future members of the legislature and other inmates of this building; and to that end we advise and request him to obtain such scientific aid and counsel as the urgency and necessity of the case imperatively demand. Senator Van Schaick. Adopted, 563.

## No. 39, S.

That a committee of three be appointed by the president of the senate, to consist of senators whose term of office does not expire before the 31st day of December, 1881, whose duty it shall be to immediately investigate the affairs of the Wisconsin State Hospital for the Insane. Said committee shall have power to send for persons and papers, administer oaths, employ such expert assistance as it may deem necessary, and shall report by bill or otherwise, with their account and expenses incurred in such investigation, to the next legislature of this state. Committee on Charitable and Penal Institutions. Ruled out of order, 564.

## No. 41, S.

That the senate journal of March 12, 1880, be corrected by spreading upon the same the full text of Jt. Res. No. 12, A., where it is recorded that said resolution was taken up for action and adopted. Senator Woodman. Adopted, 565.

## MEMORIALS TO CONGRESS — SENATE.

## No. 1, S.

For an appropriation to complete the breakwater and harbor at the entrance to the harbor of refuge, Sturgeon Bay, Wisconsin. Senator Grimmer: To committee on Federal Relations, 38. Reported favorably. Passage recommended, 53. Rules suspended. Read third time. Passed, 57. Assembly concurs, 162. Enrolled, 167.

## No. 2, S.

For the more adequate improvement of Port Washington harbor. Senator Morgan. Rules suspended. Memorial passed, 41. Correctly enrolled, 53.

## No. 3, S.

To postmaster general for the establishment of a daily mail between the villages of Pewaukee and Sussex, in Waukesha county. Senator Weaver. Rules suspended. Memorial read a third time and passed, 88. Assembly concurs, 250. Enrolled, 261.

## No. 4, S.

For a modification of the existing laws respecting the payment of pensions to disabled soldiers and sailors. Senator Haben. To committee on Military Affairs, 107. Reported favorably, 159. Assembly concurs, 371. Enrolled, 399.

## No. 5, S.

Relating to the calling of a national convention for the purpose of framing a national constitution to be submitted to the popular vote. Senator Scott. To committee on Federal Relations, 107. Reported adversely, 529. Indefinitely postponed, 554.

## No. 6, S.

For an appropriation to pay awards for flowage caused by the United States in the construction and maintenance of the Fox and Wisconsin improvement. Senator Sutherland. To committee on Federal Relations, 114. Reported favorably, 358. Ordered engrossed and read third time, 376. Engrossed, 380. Read third time and passed, 389. Assembly concurs, 494. Enrolled, 546.

## No. 7, S.

For sale of a portion of the Menomonee reservation in the county of Shawano. Senator Kelly. To committee on Judiciary, 140. Reported favorably, 184. Ordered engrossed and read third time, 203. Engrossed, 206. Read third time and passed, 229. Assembly concurs, 371. Enrolled, 399.

## No. 8, S.

For an adequate appropriation for the improvement of the harbor at Green Bay. Senator Kelly. To committee on Judiciary, 164. Reported favorably, 185. Ordered engrossed and read third time, 203. Engrossed, 206. Read third time and passed, 229. Assembly concurs, 371. Enrolled, 399.

## No. 9, S.

To the postmaster general, for the establishment of a daily mail between the villages of Excelsior, Richland county, and Muscoda, Grant county. Senator McGrew. To committee on Federal Relations, 141. Reported favorably, 473. Ordered engrossed and read third time, 497. Engrossed, 508. Passed, 524. Concurred in, 557. Enrolled, 561.

## BILLS — ASSEMBLY.

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- No. 1, A.** A bill to authorize the commissioners of public lands to loan a portion of the trust funds to the county of Portage. Received from assembly. To committee on State Affairs, 152. Reported with amendments, 247. Amendments adopted. Ordered to third reading, 280. Read third time. Concurred in, 294. Received from assembly with amendments. Senate concurs in assembly amendments, 383. Published as chapter 85.
- 2, A.** A bill to amend section 1 of chapter 192, laws of 1879, entitled an act to regulate the sizes of meshes of nets used in the waters of Lake Michigan, and the waters of Green Bay, and the waters of Lake Superior, and for the better enforcement of the fish and game laws of the state, and to repeal section 4563 of the revised statutes. Received from assembly, 370. To committee on State Affairs, 372. Recommended to Lake Shore senators, 410. Reported indefinite postponement, 481. Indefinitely postponed, 506.
- 3, A.** A bill to repeal sections 1623, 1624 and 1625 of chapter 72 of the revised statutes, entitled of dogs and wild animals. Received from assembly. Referred to Judiciary committee, 108. Reported favorably, 246. Laid over, 280. Ordered to third reading. Rules suspended. Bill read third time and concurred in, 336. Published as chapter 57.
- 4, A.** A bill relating to proceedings to enforce liens on logs in certain cases. Received from assembly. To Judiciary committee, 152. Reported favorably, 157. Recommended to Judiciary committee, 171. Reported favorably, 470. Ordered to third reading, 504. Concurred in, 513. Published as chapter 222.
- 5, A.** A bill to authorize James W. Heather and James McGee, and their assigns, to build and maintain a dam on and across that branch of the Chippewa river in Chippewa county, Wisconsin, called the Deer Tail. Received from assembly, 444. To committee on Incorporations, 445. Reported with amendments, 520. Amendments adopted. Rules suspended and concurred in, 535. Assembly concurs in senate amendments, 557. Published as chapter 294.
- 6, A.** A bill to amend section 1928 of chapter 89 of the revised statutes of 1878, in relation to town insurance companies. Received from assembly, 152. Referred to committee on Finance, Banks and Insurance, 152. Reported favorably, 189. Ordered to third reading, 202. Read third time and concurred in, 214. Published as chapter 28.
- 8, A.** A bill to authorize the town of Jefferson, in Jefferson county, to borrow the sum of sixteen hundred and fifty dollars, to build a bridge across Rock river, in said town, and to authorize the commissioners of the public debt of said town to loan said sum to said town. Received from assembly, 56. Rules suspended. Read third time and concurred in, 57. Published as chapter 2.

- No. 9, A.** A bill to authorize the commissioners of the public lands to loan a portion of the trust funds of the state to the city of Wausau, in Marathon county. Received from assembly, 79. Referred to committee on Judiciary, 80. Reported with amendments. Rules suspended. Read third time and concurred in, 90. Published as chapter 8.
- 10, A.** A bill to amend sections 1 and 2 of chapter 108 of the laws of 1879, entitled an act to provide for the laying out of a state road from Lincoln, Kewaunee county, to intersect the Green Bay and Sturgeon Bay state road in the town of Green Bay, Brown county. Received from assembly, 79. Referred to committee on Roads and Bridges, 80. Reported favorably, 95. Read third time. Concurred in, 102. Published as chapter 11.
- 11, A.** A bill to authorize commissioners of the public lands to loan a portion of the trust funds of the state to the town of Kewaunee, in the county of Kewaunee. Received from assembly, 101. To committee on State Affairs, 101. Reported favorably, 128. Ordered to a third reading, 145. Read third time and concurred in, 149. Published as chapter 10.
- 13, A.** A bill to authorize Frederick R. Stees to construct a dam across Vermillion river, in Barron county. Received from assembly. To committee on Incorporations, 152. Reported favorably, 169. Ordered to third reading, 194. Read third time. Concurred in, 202. Published as chapter 26.
- 14, A.** A bill to restore criminal jurisdiction to the county court of Winnebago county. Received from assembly, 201. To Judiciary committee, 202. Reported favorably, 286. Ordered to a third reading, 306. Read third time and concurred in, 323. Published as chapter 58.
- 15, A.** A bill for the protection of passengers on railroad cars, and conferring police powers on conductors and agents in certain cases. Received from assembly. Referred to Judiciary committee, 108. Reported favorably, 157. Ordered to third reading, 171. Read third time and concurred in, 194. Published as chapter 29.
- 17, A.** A bill to appropriate to David Wetherby and William James a sum of money therein named. Received from assembly, 321. To General File, 323. Ordered to third reading, 335. Read third time and concurred in, 349. Published as chapter 80.
- 18, A.** A bill to amend an act entitled an act to revise, consolidate and amend the city charter of the city of Fond du Lac, approved March 5, 1879. Referred to committee on Incorporations, 97. Reported favorably, 114. Read third time. Concurred in, 129. Published as chapter 12.
- 23, A.** A bill to establish a ferry across the Mississippi river at Cassville, Grant county, Wisconsin. Received from assembly, 538. To General File, 540. Ordered to third reading, 552. Rules suspended. Concurred in, 551. Published as chapter 293.
- 26, A.** A bill to amend chapter 52 of the revised statutes of 1878, entitled of highways and bridges. Received from assembly. To committee on Roads and Bridges, 152. Reported adversely, 260. Indefinitely postponed, 294.
- 30, A.** A bill to repeal sections 6, 7 and 8 of chapter 259, laws of 1878, and chapter 104, laws of 1879, relating to a state road from Wolf river, in Shawano county, to Wausau, in Marathon county. Received from assembly, 101. Reported with amendment, 189. Amendments adopted. Ordered to third reading, 203. Read third time and concurred in, 214. Assembly concurs in senate amendments, 250. Published as chapter 24.

- No. 31, A. A bill to provide for the individual liability of stockholders in banks and banking associations. Received from assembly, 319. To committee on Finance, Banks and Insurance, 323. Reported favorably with amendments, 430. Amendments adopted. Ordered to third reading, 448. Laid over, 458. Concurred in, 466. Published as chapter 223.
- 33, A. A bill to provide for the assessment of property and the collection of taxes in certain cases. Received from assembly, 79. Rules suspended. Read third time. Concurred in, 80. Published as chapter 6.
- 33, A. A bill to authorize Chas. W. Hanson to build and maintain a dam across, and otherwise improve, Christmas creek, in Chippewa county. Received from assembly, 192. To committee on Incorporations, 193. Reported favorably, 206. Recommended to committee on Incorporations, 231. Reported favorably, 315. Ordered to third reading, 335. Read third time. Concurred in, 348. Published as chapter 84.
- 36, A. A bill to amend section 4451, chapter 182, revised statutes, entitled offenses against property. Received from assembly. Referred to Judiciary committee, 108. Reported favorably, 316. Ordered to third reading, 337. Read third time and concurred in, 350. Published as chapter 94.
- 37, A. A bill to amend section 1014 of the revised statutes, relating to statistics. Received from assembly, 101. To committee on Judiciary, 101. Reported favorably, 470. Ordered to third reading, 504. Senate concurs, 518. Published as chapter 229.
- 39, A. A bill for the preservation of fish in Long lake, Round lake and Mud lake, situate in the counties of Fond du Lac and Sheboygan. Received from assembly. To committee on State Affairs, 252. Reported favorably, 354. Ordered to third reading 373. Read third time and concurred in, 383. Published as chapter 185.
- 40, A. A bill to amend the charter of the city of Oshkosh. Received from assembly, 193. To committee on Incorporations, 193. Reported favorably, 206. Ordered to third reading, 231. Read third time and concurred in, 253. Published as chapter 38.
- 41, A. A bill to exempt members of the Watertown fire department from certain duties therein named. Received from assembly, 192. To Judiciary committee, 193. Reported favorably, 368. Ordered to third reading, 383. Read third time and passed, 390. Published as chapter 161.
- 42, A. A bill to amend section 602 of the revised statutes, relating to the government of the Wisconsin Hospital for the Insane. Received from assembly, 319. To General File, 323. Ordered to third reading, 335. Read third time and concurred in, 349. Published as chapter 96.
- 44, A. A bill to amend section 4756 of chapter 194 of the revised statutes of 1878, entitled of proceedings in criminal cases in justices' courts. Received from assembly. Referred to committee on Judiciary, 108. Reported with amendments, 157. Amendments adopted, ordered to third reading, 171. Read third time and concurred in, 194. Assembly concurs in amendments, 228. Published as chapter 31.
- 46, A. A bill to amend subdivision 4 of section 670 of the revised statutes, relating to the bounty on wild animals. Received from assembly. To committee on State Affairs, 228. Reported favorably, 298. Ordered to a third reading, 324. Read third time and concurred in, 335. Published as chapter 110.

- No. 49, A.** A bill to amend section 4565 of chapter 185, revised statutes, entitled of offenses against public policy. Received from assembly. To Judiciary committee, 193. Reported adversely, 287. Senate indefinitely postpones, 307.
- 50, A.** A bill authorizing and allowing horses, mules, cattle and sheep to run at large upon uninclosed lands in the county of Vernon. Received from assembly, 361. To committee on Agriculture, 362. Reported favorably, 397. Ordered to third reading, 419. Concurred in, 431. Published as chapter 162.
- 51, A.** A bill to amend the charter of the city of Watertown. Received from assembly, 193. To committee on Incorporations, 193. Reported favorably, 314. Ordered to third reading, 335. Read third time and concurred in, 349. Published as chapter 59.
- 53, A.** A bill to appropriate to George B. McMillan a sum of money therein named as extra pay for services in the late war. Received from assembly, 192. To committee on State Affairs, 193. Reported favorably, 247. Laid over, 290. Ordered to third reading, 294. Read third time and concurred in, 306. Published as chapter 81.
- 54, A.** A bill regulating the rate of interest. Received from assembly. To Judiciary committee, 457. Recalled from Judiciary committee, and recommitted to committee on Charitable and Penal Institutions, 470. Reported adversely, 502. Laid over, 516. Laid over, 525. Indefinitely postponed, 526.
- 57, A.** A bill to provide for the publication of proceedings of county boards of supervisors. Received from assembly. To Judiciary committee, 347. Reported with amendments, 379. Recommitted to committee on State Affairs, 391. Reported with amendment, 410. Amendments adopted. Ordered to a third reading, 434. Laid over, 448. Concurred in, 466. Published as chapter 186.
- 58, A.** A bill to amend section 1683 of the revised statutes, and to authorize the laying of street railways or tramways in villages and towns. Received from assembly, 192. To Judiciary committee 193. Reported favorably, 453. Indefinitely postponed, 467. Reconsidered. Recommitted to Judiciary committee, 482. Reported favorably, 503. Ordered to a third reading, 514. Rules suspended and concurred in, 516. Published as chapter 221.
- 60, A.** A bill relating to and amendatory of section 3326 of chapter 143 revised statutes of 1878, entitled of liens. Received from assembly, 192. To Judiciary committee, 193. Reported favorably, 453. Ordered to third reading, 466. Senate concurs, 496. Published as chapter 187.
- 63, A.** A bill to authorize the levy and collection of a special tax in the second ward of the city of Milwaukee. Received from assembly. Referred to Milwaukee Delegation, 101. Reported favorably, 129. Ordered to third reading, 145. Read third time. Concurred in, 149. Published as chapter 15.
- 64, A.** A bill to authorize the commissioners of public lands to loan a portion of the trust funds of the state to the city of Chippewa Falls, Chippewa county. Received from assembly, 319. To committee on State Affairs, 323.
- 65, A.** A bill to amend section 5 of chapter 76 of the private and local laws of Wisconsin, passed in the year 1868, entitled an act to consolidate Union School District No. 1, in the city of Beloit, joint with the towns of Beloit and Turtle, and Union School District No. 2, of the city of Beloit, joint with the town of

Beloit, and for the formation of Beloit city school district. Received from assembly, 192. To Judiciary committee, 193. Reported favorably, 286. Ordered to a third reading, 306. Read third time and concurred in, 323. Published as chapter 54.

- No. 69, A. A bill to legalize the acts of W. H. Gibson, a justice of the peace in Trempealeau county. Received from assembly, 370. To Judiciary committee, 372. Reported favorably, 453. Ordered to third reading, 466. Senate concurs, 496. Published as chapter 188.
- 70, A. A bill to provide for proof of kinship, and to limit the lien of creditors on the real estate of deceased persons in certain cases. Received from assembly, 483. To Judiciary committee, 484. Reported adversely, 504. Indefinitely postponed, 515.
- 71, A. A bill to legalize assignments of tax certificates made by any county in this state to any town therein, and to validate the deed given to the assignees of such town by virtue of such certificates. Received from assembly, 192. To committee on Judiciary, 193. Reported favorably, 316. Recommitted to Judiciary committee, 336. Reported indefinite postponement, 471. Indefinitely postponed, 506.
- 73, A. A bill to authorize Gustavus Werlick, his associates and assigns, to erect and maintain a dam and boom, and to otherwise improve Big Rib river, in Marathon county. Received from assembly, 192. To committee on Incorporations, 193. Reported favorably, 206. Ordered to third reading, 231. Read third time and concurred in, 253. Received from assembly, 279. Reconsidered. Recommitted to committee on Incorporations, 280. Reported with amendments, 314. Amendments adopted. Ordered to third reading, 336. Assembly concurs in senate amendments, 370. Published as chapter 97.
- 75, A. A bill to authorize the levy of a special tax in the ninth ward of the city of Milwaukee. Received from assembly. Referred to Milwaukee delegation, 101. Reported favorably, 129. Ordered to third reading, 145. Read third time. Concurred in, 149. Published as chapter 14.
- 79, A. A bill to amend chapter 141 of the laws of 1879, in relation to the distribution of Blue Books. Received from assembly, 192. To committee on Legislative Expenditures, 193. Reported with amendments, 356. Amendments adopted. Ordered to third reading, 375. Read third time and concurred in, 383. Assembly concurs in senate amendments, 406. Published as chapter 123.
- 80, A. A bill to amend section 914 of the revised statutes, relating to taxes levied by village boards. Received from assembly, 387. To Judiciary committee, 388. Reported favorably, 452. Ordered to third reading, 466. Senate concurs, 496. Published as chapter 212.
- 82, A. A bill relating to offenses against property, and to amend section 4449 of the revised statutes. Received from assembly, 416. To Judiciary committee, 416. Reported favorably, 529. Ordered to third reading, 552. Rules suspended. Concurred in, 551. Published as chapter 295.
- 83, A. A bill to appropriate to Robert May a sum of money therein named. Received from assembly, 370. To committee on State Affairs, 372. Laid over, 383. Ordered to third reading, 391. Read third time and concurred in, 407. Published as chapter 163.

- No. 84, A.** A bill in relation to fees of sheriffs, and amendatory of subdivisions 7 and 33 of section 731 of the revised statutes. Received from assembly, 273. To committee on Town and County Affairs, 275. Reported favorably, 332. Recommended to committee on Judiciary, 350. Reported unfavorably, 368. Indefinitely postponed, 383.
- 86, A.** A bill to amend section 169 of the revised statutes, entitled of state officers. Received from assembly. To committee on State Affairs, 152. Reported with amendment, 190. Recommended to committee on Claims, 203. Reported adversely, 246. Recommended to committee on Agriculture, 280. Reported with amendment, 293. Amendment adopted. Recommended to committee on State Affairs, 307. Reported favorably with amendments, 435. Amendments adopted. Ordered to a third reading, 447. Concurred in, 458. Assembly concurs in senate amendments, 484. Published as chapter 199.
- 87, A.** A bill to amend section 4 and section 16 of chapter 148 of the laws of 1873, entitled an act to incorporate the city of Boscobel, and to repeal section 1, chapter 84 of the laws of 1875, entitled an act to amend chapter 148 of the laws of 1873, entitled an act to incorporate the city of Boscobel. Received from assembly. To committee on Incorporations, 193. Reported favorably, 199. Ordered to a third reading, 215. Read third time and concurred in, 229. Published as chapter 37.
- 88, A.** A bill to authorize the levy of a special tax in the tenth ward of the city of Milwaukee. Received from assembly. Referred to Milwaukee Delegation, 101. Reported favorably, 129. Ordered to a third reading, 146. Read third time. Concurred in, 149. Published as chapter 13.
- 89, A.** A bill to legalize the acts of George R. Mahoney, Henry P. Fischer and H. L. Meyer, deputy clerks of the city of Milwaukee. Received from assembly. To Milwaukee senators, 228. Reported favorably, 291. Ordered to third reading, 306. Read third time and concurred in, 323. Published as chapter 51.
- 90, A.** A bill relating to the assessment and collection of highway taxes, and amending subdivision 2 of section 1240 of chapter 52 of the revised statutes. Received from assembly, 201. To Judiciary committee, 202. Reported favorably, 286. Ordered to third reading, 306. Read third time and concurred in, 323. Published as chapter 60.
- 91, A.** A bill to amend section 1931 of chapter 89 of the revised statutes, entitled of insurance corporations. Received from assembly, 303. To committee on Finance, Banks and Insurance, 305. Reported with amendments, 356. Ordered to third reading, 373. Amendment to amendment offered and adopted. Amendment adopted as amended, 376. Read third time and concurred in, 382. Published as chapter 134.
- 93, A.** A bill amending the charter of the Evansville Seminary, and the several acts amendatory thereof. Received from assembly, 303. To committee on Incorporations, 305. Reported favorably, 354. Ordered to third reading, 374. Read third time and concurred in, 382. Published as chapter 133.
- 94, A.** A bill providing for the disposal of redemption money remaining in the hands of the county clerks more than six years. Received from assembly, 319. To committee on Town and County Affairs, 323. Reported favorably, 373. Recommended to Judiciary committee, 391. Reported indefinite postponement, 452. Recommended to Judiciary committee. Reported favorably with amendments, 471. Amended. Ordered to third reading, 505. Senate concurs, 513. Assembly concurs, 539. Published as chapter 220.

- No. 97, A.** A bill to create a municipal court for the county of Barron. Received from assembly, 274. To Judiciary committee, 275. Reported favorably, 286. Rules suspended. Read third time and concurred in, 287. Published as chapter 48.
- 99, A.** A bill to amend section 2523 of chapter 115 of the revised statutes, entitled of the municipal court of Dane county. Received from assembly, 193. To Dane County Delegation, 194. Reported with amendment, 200. Rules suspended. Read third time and concurred in, 200. Assembly concurs in amendments, 228. Published as chapter 27.
- 100, A.** A bill to authorize the commissioners of public lands to loan a portion of the trust funds of the state to Taylor county. Received from assembly. To committee on State Affairs, 152. Reported favorably with amendments, 430. Concurred in, 458. Assembly concurs in senate amendments, 484. Published as chapter 189.
- 101, A.** A bill in relation to a ferry across the Mississippi river, and amendatory of chapter 216 of the private and local laws of 1871, entitled an act to authorize Henry Gardner and Albert H. Warcham to keep and maintain a ferry across the Mississippi river at a point where the line of Crawford and Vernon counties strikes said river. Received from assembly, 274. To committee on Roads and Bridges, 275. Reported with the recommendation it be recommitted to Judiciary committee, 359. Reported favorably, 452. Ordered to third reading, 466. Senate concurs, 496. Published as chapter 190.
- 102, A.** A bill to authorize the commissioners of public lands to loan a portion of the trust funds to the city of Stevens Point, Portage county, to enable said city to pay off and cancel a portion of its bonded indebtedness. Received from assembly. To committee on State Affairs, 152. Reported unfavorably, 410. Laid over, 433. Indefinitely postponed, 468.
- 104, A.** A bill to limit the number of terms to which a person may be eligible to the office of county treasurer. Received from assembly, 369. To committee on State Affairs, 372. Reported favorably, 410. Laid over, 433. Recommitted to Judiciary committee, 469. Reported indefinite postponement, 471. Indefinitely postponed, 506.
- 107, A.** A bill to authorize John R dmond, his associates and assigns, to erect and maintain a dam across and otherwise improve Hay creek, in Chippewa county. Received from assembly, 428. To committee on Incorporations, 424. Reported favorably, 520. Ordered to third reading, 535. Read third time and concurred in, 550. Published as chapter 296.
- 108, A.** A bill to amend chapter 260 of the laws of Wisconsin for 1877, entitled an act to revise, consolidate and amend the charter of the city of Stevens Point, approved May 17, 1858, and the several acts amendatory thereof. Received from assembly, 201. To committee on Incorporations, 202. Reported favorably, 243. Ordered to a third reading, 253. Read third time and concurred in, 290. Published as chapter 50.
- 109, A.** A bill to authorize the commissioners of public lands to loan a portion of the trust funds of the state to the town of Lyndon, in the county of Sheboygan and state of Wisconsin. Received from assembly. To committee on State Affairs, 152. Reported favorably, 247. Ordered to third reading, 280. Read third time. Concurred in, 294. Published as chapter 53.
- 110, A.** A bill to appropriate to Kewaunee county a sum of money therein named. Received from assembly, 415. To General File, 416. Ordered to a third reading, 432. Concurred in, 447. Published as chapter 164.

- No. 112, A.** A bill to discontinue a portion of the state road running through the counties of Racine, Walworth and Rock, state of Wisconsin, lying in the town of Fulton, Rock county, aforesaid. Received from assembly, 321. To committee on Roads and Bridges, 323. Reported favorably, 359. Ordered to third reading, 374. Read third time and concurred in, 382. Published as chapter 132.
- 114, A.** A bill changing the name of the county of New to Langlade. Received from assembly. Rules suspended. Read third time and concurred in, 191. Published as chapter 19.
- 116, A.** A bill to amend chapter 43 of the laws of 1878, entitled an act to amend section 6 of chapter 121 of the laws of Wisconsin for the year 1876, entitled an act relating to the preparation, publication and distribution of the final report of the geological survey. Received from assembly, 538. To General File, 540. Ordered to third reading, 552. Rules suspended. Read third time. Concurred in, 551. Published as chapter 301.
- 117, A.** A bill to amend section 925 of chapter 40 of the revised statutes of 1878, entitled towns, cities and villages. Received from assembly. To committee on Town and County Affairs, 213. Reported favorably, 259. Ordered to a third reading, 294. Read third time and concurred in, 306. Published as chapter 55.
- 118, A.** A bill to authorize Gustaf Erickson and P. E. Peterson to construct and maintain a dam across Wood river, in Burnett county. Received from assembly. To committee on Incorporations, 193. Reported favorably, 198. Ordered to third reading, 215. Read third time and concurred in, 230. Published as chapter 25.
- 120, A.** A bill to amend section 351 of chapter 22 of the revised statutes of 1878, in relation to the distribution of public documents. Received from assembly, 369. To Judiciary committee, 372. Reported indefinite postponement, 454. Indefinitely postponed, 468.
- 121, A.** A bill to amend section 3368 of chapter 143 of the revised statutes of 1878, in relation to the distribution of public documents. Received from assembly, 369. To Judiciary committee, 372. Reported favorably with amendments, 452. Amendments adopted. Ordered to third reading, 467. Senate concurs, 496. Assembly concurs, 511. Published as chapter 191.
- 122, A.** A bill to amend subdivision 1 of section 359, chapter 20 of the revised statutes, entitled of public printing. Received from assembly, 415. To General File, 416. Ordered to a third reading, 434. Concurred in, 446. Published as chapter 200.
- 125, A.** A bill to authorize Andrew Tain'er, John H. Knapp, Henry L. Stout, William Wilson, Thos. B. Wilson and John H. Douglass, their associates and assigns, to construct and maintain a dam across Turtle creek in Barron county, on land owned by the Knapp, Stout & Co. company. Received from assembly. To committee on Incorporations, 193. Reported favorably, 198. Ordered to third reading, 215. Read third time and concurred in, 230. Published as chapter 32.
- 126, A.** A bill to authorize John H. Douglass, Andrew Tainter, Thomas B. Wilson, Henry L. Stout, Wm. Wilson and John H. Knapp, and their associates and assigns, to erect and maintain a dam across Turtle creek, on land owned by the Knapp, Stout & Co. company. Received from assembly, 201. To committee on Incorporations, 202. Reported favorably, 206. Ordered to third reading, 231. Read third time and concurred in, 253. Published as chapter 33.

- No. 127, A.** A bill to authorize the electors of the town of Janesville, in Rock county, to hold elections in the third ward of the city of Janesville. Received from assembly, 201. Rules suspended. Read third time. Concurred in, 202. Reconsidered and referred to Senator Richardson, 204. Reported favorably. Rules suspended. Read third time and concurred in, 248. Published as chapter 35.
- 128, A.** A bill to authorize the city of Beaver Dam to issue bonds to build a city hall. Received from assembly. To Judiciary committee, 293. Reported favorably, 316. Ordered to third reading, 335. Read third time and concurred in, 349. Published as chapter 98.
- 131, A.** A bill to authorize the construction of a dam across the south branch of the Embarrass river in Shawano county. Received from assembly, 201. To committee on Incorporations, 202. Reported favorably, 206. Recommitted to committee on Incorporations, 231. Reported with amendments, 243. Amendments adopted. Ordered to third reading, 253. Read third time. Concurred in, 280. Published as chapter 49.
- 132, A.** A bill to amend section 670, chapter 36, of the revised statutes, relating to special powers of county boards of supervisors. Received from assembly, 201. To Judiciary committee, 202. Reported adversely, 287. Senate indefinitely postpones, 307. Vote reconsidered. Recommitted to Judiciary committee, 323. Reported adversely, 518. Indefinitely postponed, 536.
- 135, A.** A bill to amend subdivision 2, section 339, chapter 20 of the revised statutes of 1878, entitled of public printing. Received from assembly, 274. To Judiciary committee, 275. Recommitted to committee on Agriculture, 316. Reported favorably, 344. Ordered to third reading, 363. Read third time and concurred in, 378. Published as chapter 128.
- 136, A.** A bill to amend an act entitled an act to provide for the registry of electors at charter elections in the city of Milwaukee. Received from assembly, 228. Rules suspended. Read third time and concurred in, 228. Published as chapter 36.
- 139, A.** A bill to amend section 2535 of chapter 116 of the revised statutes, entitled of jurors. Received from assembly, 274. To Judiciary committee, 275. Reported favorably, 316. Recommitted to Judiciary committee, 336. Reported indefinitely postponement, 471. Indefinitely postponed, 506.
- 140, A.** A bill to legalize the actions of the Deutsche Gegenseitige-Farmer-Feuer Versicherungs Gesellschaft von Town Mishicott, Manitowoc county, Wisconsin, being a town insurance company organized under the laws of the state of Wisconsin, and located in the town of Mishicott, Manitowoc county, Wisconsin. Received from assembly, 415. Rules suspended. Read third time and concurred in, 416. Published as chapter 169.
- 143, A.** A bill to repeal chapter 367 of the general laws of 1876, entitled an act to protect fish in the Baraboo river, in the counties of Columbia, Sauk, Juneau, Monroe and Vernon. Received from assembly, 444. To committee on State Affairs, 445. Reported favorably, 491. Ordered to third reading, 514. Rules suspended and senate concurs, 516. Published as chapter 224.
- 144, A.** A bill to amend section 2623, chapter 119 of the revised statutes of 1878, entitled of the place of trial of civil actions. Received from assembly, 415. To Judiciary committee, 416. Reported favorably, 453. Ordered to third reading, 466. Senate concurs, 496. Published as chapter 219.

- No. 145, A.** A bill to amend section 8831 of chapter 148 of the revised statutes, entitled of liens upon logs and lumber. Received from assembly, 415. To Judiciary committee, 416. Reported favorably, 458. Ordered to third reading, 467. Senate concurs, 496. Published as chapter 192.
- 148, A.** A bill to amend the charter of the city of Abnapee, Kewaunee county. Received from assembly, 808. To committee on Incorporations, 805. Reported with amendment, 879. Amendments adopted. Ordered to third reading, 891. Read third time and concurred in, 407. Senate amendments concurred in, 416. Published as chapter 124.
- 150, A.** A bill to amend chapter 127 of the laws of 1874, entitled an act to incorporate the city of Menasha. Received from assembly, 483. To committee on Incorporations, 484. Reported with amendments, 502. Rules suspended, amendments adopted. Concurred in. Assembly concurs, 540. Published as chapter 217.
- 152, A.** A bill to authorize the county of Outagamie to borrow money. Received from assembly, 274. To committee on State Affairs, 275. Reported with amendment, 298. Amendments adopted. Ordered to third reading, 324. Read third time and concurred in, 335. Assembly concurs in senate amendments, 370. Published as chapter 95.
- 154, A.** A bill to legalize the acts of the supervisors of Monroe county in paying bounties for the destruction of foxes. Received from assembly, 274. To Judiciary committee, 275. Reported favorably, 316. Ordered to third reading, 335. Read third time and concurred in, 349. Published as chapter 140.
- 158, A.** A bill to amend section 1 of chapter 47 of the private and local laws of Wisconsin for the year 1872, entitled an act for the division of the borough of Fort Howard and the town of Lawrence, and the erection of the town of Ashwaubenon, in Brown county. Received from assembly. To committee on Town and County Affairs, 293. Reported favorably 342. Returned to assembly, 361. Received from assembly, 387. Referred to committee on Town and County Affairs, 388. Reported favorably, 395. Ordered to third reading, 419. Concurred in, 432.
- 160, A.** A bill to provide for services of process upon transportation companies, and the appointment of an attorney therefor within this state. Received from assembly, 319. To Judiciary committee, 323. Reported favorably with amendments, 452. Amendments adopted. Ordered to third reading, 467. Senate concurs, 496. Assembly concurs, 511. Published as chapter 193.
- 161, A.** A bill to preserve the fish in Elkhart lake, Sheboygan county. Received from assembly, 319. To committee on State Affairs, 323. Reported favorably, 354. Ordered to third reading, 374. Read third time and concurred in, 383. Reported favorably, 452. Published as chapter 137.
- 162, A.** A bill to authorize Louis Vincent and others, their associates and assigns, to build and maintain piers in the Chippewa river, at places therein named. Received from assembly, 304. To committee on Incorporations, 305. Reported with amendments, 314. Amendments adopted. Ordered to third reading, 335. Read third time and concurred in, 349. Assembly concurs in senate amendments, 370. Published as chapter 104.
- 165, A.** A bill relating to the assessment of personal property for taxation, and to amend section 1040 of the revised statutes. Received from assembly, 303. To committee on State Affairs, 305. Reported favorably, 410. Ordered to a third reading, 432. Concurred in, 446. Published as chapter 165.

- No. 167, A.** A bill to amend chapter 166 of the private and local laws of 1854, entitled an act to incorporate the German and English Academy in the city of Milwaukee, and to repeal an act to incorporate the Anglo-German Academy in the city of Milwaukee, approved July 3, 1853. Received from assembly. To Milwaukee Delegation, 250. Reported favorably, 292. Ordered to a third reading, 307. Read third time and concurred in, 324. Published as chapter 61.
- 169, A.** A bill to authorize the city of Neenah to borrow money. Received from assembly, 369. To committee on State Affairs, 372. Reported favorably, 410. Ordered to a third reading 432. Concurred in, 446. Published as chapter 202.
- 170, A.** A bill relating to the annual inspection of the Bayfield Rifles. Received from assembly, 538. To General File, 540. Rules suspended. Concurred in, 542. Published as chapter 300.
- 171, A.** A bill relating to the house of correction of Milwaukee county. Received from assembly, 423. To General File, 424. Recommended to Judiciary committee, 433. Reported indefinite postponement, 471. Recommended to Judiciary committee, 507. Reported adversely, 518. Rules suspended and indefinitely postponed, 519.
- 172, A.** A bill to amend section 14 of chapter 103, laws of 1879, relating to tax deeds in Price county. Received from assembly, 303. To committee on Judiciary, 305. Reported favorably, 453. Ordered to third reading, 467. Senate concurs, 496. Rules suspended and concurred in, 542. Published as chapter 218.
- 174, A.** A bill to amend sections 1927, 1928 and 1929, chapter 89, revised statutes, relating to town insurance companies. Received from assembly, 304. To committee on Finance, Banks and Insurance, 305. Reported favorably, 357. Ordered to third reading, 374. Read third time and concurred in, 383. Published as chapter 160.
- 175, A.** A bill to amend section 2 of subchapter 3 of chapter 159 of the laws of 1878, relating to the charter of the city of Chippewa Falls, and to revise and re-enact section 10 of subchapter 4, and section 4 of subchapter 7, and section 3 of subchapter 12, and section 10 of subchapter 15 of said chapter 159. Received from assembly, 387. To committee on Incorporations, 388. Reported favorably, 395. Recommended to Senator Scott, 395. Reported back, and recommended to committee on Incorporations, 455.
- 176, A.** A bill to amend section 1940 of chapter 89 of revised statutes, relating to town insurance companies. Received from assembly, 386. To committee on Finance, Banks and Insurance, 388. Reported favorably, with amendments, 413. Amendments adopted. Ordered to third reading, 434. Concurred in, 446. Senate amendments concurred in, 457. Published as chapter 211.
- 179, A.** A bill to amend sections 2489, 2490 and 2498 of the revised statutes of 1878, relative to the municipal court of the city and town of Ripon. Received from assembly, 319. To Judiciary committee, 323. Reported favorably, 453. Ordered to third reading, 467. Senate concurs, 496. Published as chapter 216.
- 181, A.** A bill to amend section 3725 of chapter 158 of the revised statutes of 1878, relating to proceedings in garnishment. Received from assembly, 320. To Judiciary committee, 323. Reported favorably, 453. Ordered to third reading, 467. Senate concurs, 496. Published as chapter 207.

- No. 184, A. A bill to revise, consolidate and amend the city charter of the city of Wausau. Received from assembly. To committee on Incorporations, 347. Reported favorably, 354. Read third time. Concurred in, 375. Returned from governor, 567. Published as chapter 328.
- 185, A. A bill relating to and amendatory of section 1938 of chapter 89, revised statutes of 1878, entitled of insurance companies. Received from assembly, 320. To committee on Finance, Banks and Insurance, 323. Reported unfavorably, 356. Noncon-  
curred in, 374.
- 186, A. A bill to amend an act entitled an act to revise, consolidate and amend the charter of the city of Racine, approved August 8, 1848, and the several acts amendatory thereof, approved March 11, 1876, and the several acts amendatory thereof. Received from assembly. To committee on Town and County Affairs, 275. Reported favorably, 277. Ordered to third reading, 294. Read third time and concurred in, 306. Published as chapter 180.
- 187, A. A bill to establish a municipal court in Rock county. Received from assembly. To Senator Richardson, 523. Reported adversely, 521. Indefinitely postponed, 536.
- 188, A. A bill to provide for laying out a state road from the town of Preble, Brown county, to the town of Casco, Kewaunee county. Received from assembly, 320. To committee on Roads and Bridges, 323. Reported favorably, 359. Recommended to Senators from the 1st and 2d districts, 375.
- 189, A. A bill authorizing the city of Racine to pay an increased salary to the harbor master and bridge tenders of said city. Received from assembly, 274. To committee on Incorporations, 275. Reported favorably, 315. Ordered to third reading, 335. Read third time and concurred in, 349. Published as chapter 99.
- 190, A. A bill authorizing the city of Racine to purchase additional cemetery grounds. Received from assembly, 303. To committee on Judiciary, 305. Reported favorably, 368. Ordered to third reading, 384. Read a third time and concurred in, 390. Published as chapter 166.
- 192, A. A bill to amend chapter 409 of the general laws of 1864, entitled an act to authorize the village of De Pere and the town of Lawrence to purchase or lease a certain bridge across Fox river. Received from assembly, 387. To committee on Roads and Bridges, 388. Reported favorably, 397. Ordered to third reading, 419. Concurred in, 433. Published as chapter 157.
- 194, A. A bill to authorize G. W. Cate and N. N. McLeod to build a dam across, for flooding purposes, and otherwise improve Spirit river, in Price county, Wisconsin. Received from assembly, 370. To committee on Incorporations, 372. Reported favorably, 395. Ordered to third reading, 419. Laid over, 432. Amendment offered and adopted. Concurred in, 447. Senate amendments concurred in, 457. Published as chapter 201.
- 194, A. A bill to improve the Little Elk river in the county of Price, and to grant to Mathew Wadleigh, R. M. Moor and A. D. Lunt, their associates and assigns, certain powers and privileges therein named. Received from assembly, 369. To committee on Incorporations, 372. Reported favorably, 472. Ordered to third reading, 504. Senate concurs, 513. Published as chapter 241.
- 199, A. A bill to amend section 4115 of the revised statutes of 1878, relating to depositions taken without the state. Received from assembly, 370. To Judiciary committee, 372. Reported indefinite postponement, 452. Indefinitely postponed, 468.

- No .201, A. A bill relating to revised statutes, and amending the same. Received from assembly, 303. To committee on Judiciary, 305. Recommitted to Milwaukee Delegation, 452. Reported favorably, 464. Ordered to third reading, 504. Senate concurs, 513. Published as chapter 215.
- 202, A. A bill relating to and amendatory of section 1108 of chapter 49 of revised statutes of 1878, entitled of taxation. Received from assembly, 483. To Judiciary committee, 484. Reported indefinite postponement, 503. Indefinitely postponed, 515.
- 204, A. A bill to authorize the villages of De Pere and West De Pere to purchase, hold and lease certain real estate for the use of said villages. Received from assembly, 369. To committee on Town and County Affairs, 372. Reported favorably, 386. Ordered to third reading, 407. Concurred in, 419. Reported favorably with amendments, 443. Published as chapter 156.
- 206, A. A bill to prohibit unauthorized companies and agents from transacting the business of insurance in this state, and relating to the department of insurance. Received from assembly, 369. To committee on Finance, Banks and Insurance, 372. Reported favorably with amendments, 443. Laid over, 458. Amended. Ordered to a third reading, 505. Senate concurs, 513. Assembly concurs, 539. Published as chapter 240.
- 207, A. A bill to authorize the commissioners of public lands to loan a portion of the trust funds of the state to the town of Arcadia, in the county of Trempealeau. Received from assembly. To committee on State Affairs, 193. Reported favorably, 247. Rules suspended. Read third time and concurred in, 247. Published as chapter 34.
- 209, A. A bill to amend the charter of the city of Waupaca, in Waupaca county. Received from assembly, 423. To committee on Incorporations. Reported favorably. Ordered to third reading, 458. Concurred in, 466. Published as chapter 210.
- 212, A. A bill to authorize Halvor Annunson and John Annunson, their associates or assigns, to construct a dam across and otherwise improve Porple river, a branch of Pine river, in Oconto county, Wisconsin, for logging purposes. Received from assembly, 387. To committee on Incorporations, 488. Reported favorably, 489. Rules suspended and senate concurs, 515. Published as chapter 214.
- 213, A. A bill to authorize the supervisors of the county of Oconto to borrow money to be used for the purpose of paying the present indebtedness of said county. Received from assembly. To committee on State Affairs, 495. Reported favorably, 528. Non-concurred in, 551.
- 215, A. A bill to authorize James Conniff to maintain a dam now built by him on his own land in section twenty-two, township thirty-four, range seventeen east, in Marinette county. Received from assembly. To committee on Incorporations, 495. Reported adversely, 502. Rules suspended. Indefinitely postponed, 502.
- 217, A. A bill to amend section 1 of sub-chapter 8 of chapter 184 of the laws of 1874, entitled an act to revise, consolidate and amend the charter of the city of Milwaukee, approved February 20, 1852, and the several acts amendatory thereof. Received from assembly, 405. To Milwaukee Delegation, 406. Reported adversely, 414. Laid over, 414. Minority report favorably, 461. Indefinitely postponed, 468.

- No. 218, A.** A bill to authorize the granting of state certificates to graduates of colleges and universities. Received from assembly, 304. To committee on Education, 305. Reported favorably, 451. Ordered to third reading, 467. Senate concurs, 496. Published as chapter 209.
- 222, A.** A bill to vacate part of the Milwaukee and Waukesha plank road in Milwaukee county. Received from assembly. To committee on Roads and Bridges, 406. Reported favorably, 481. Ordered to third reading, 505. Senate concurs, 513.
- 223, A.** A bill to legalize the acts of the Linden Town Mutual Fire Insurance Company, in Iowa county. Received from assembly, 320. To Judiciary committee, 323. Reported favorably, 379. Recommitted to Judiciary committee, 391. Reported with amendment, 411. Amendments adopted. Ordered to third reading. Clerk instructed to correct title, 434. Concurred in, 446. Senate amendments concurred in, 457. Recedes from its concurrence in senate amendments, 549. Published as chapter 310.
- 224, A.** A bill authorizing the city of Racine to borrow money from any available fund of said city, for the support of paupers. Received from assembly, 303. To committee on State Affairs, 305. Reported favorably, 354. Recommitted to committee on State Affairs, 374. Reported favorably, 410. Ordered to third reading, 432. Concurred in, 446. Published as chapter 154.
- 226, A.** A bill for the establishment of a state normal school in the fourth congressional district of the state of Wisconsin. Received from assembly, 522. To committee on Education, 523. Reported with amendments, 528. Amended. Ordered to third reading, 541. Read third time and concurred in, 551. Assembly concurs in senate amendments, 557. Published as chapter 299.
- 227, A.** A bill to legalize the acts of the Greenwood Cemetery Association, of Spring Valley, Rock county, and to fix the time and place of holding the annual election of trustees of said association. Received from assembly, 370. Rules suspended. Read third time and concurred in, 372. Published as chapter 153.
- 228, A.** A bill to amend section 1890 of chapter 55 of the revised statutes of 1878, by adding the words "wire and barbed wire" after the word "board," in the second line of said section. Received from assembly. To committee on Agriculture, 293. Reported favorably, 412. Ordered to third reading, 432. Concurred in, 446. Published as chapter 158.
- 229, A.** A bill to amend section 3774 of chapter 161 of the revised statutes of 1878, relating to fees of justices. Received from assembly, 387. To Judiciary committee, 388. Reported indefinite postponement, 452. Indefinitely postponed, 468. Reconsidered. Recommitted to Judiciary committee, 482. Reported adversely, 529. Indefinitely postponed, 551.
- 230, A.** A bill relating to and amendatory of section 2216 of chapter 100 of the revised statutes of 1878, entitled of conveyances. Received from assembly, 320. To Judiciary committee, 323. Reported favorably, 378. Ordered to a third reading, 391. Read third time and concurred in, 407. Published as chapter 129.
- 234, A.** A bill to authorize the removal of the bodies buried in a certain plat of ground in the town of Mackford, and county of Green Lake, formerly used as a cemetery. Received from assembly, 274. To committee on State Affairs, 275. Reported favorably, 298. Rules suspended. Read third time and concurred in, 299. Published as chapter 52.

- No. 239, A. A bill to amend section 1623 of the revised statutes, relating to dogs, and exempting Washington county therefrom. Received from assembly, 387. To Judiciary committee, 388. Reported favorably, 518. Ordered to third reading, 535. Read third time and concurred in, 550. Published as chapter 297.
- 242, A. A bill to amend an act entitled an act to incorporate the chamber of commerce of the city of Milwaukee, approved February 29, 1868. Received from assembly, 369. To Milwaukee Delegation, 372. Reported favorably, 403. Ordered to third reading, 419. Concurred in, 432. Published as chapter 150.
- 244, A. A bill to prevent the adulteration of food and medicines, and provide for analyzing the same. Received from assembly, 445. To Judiciary committee, 445. Reported, with amendments, favorably, 452. Recommitted to Judiciary committee, 452. Reported favorably with amendments, 472. Amended. Ordered to third reading, 506. Senate concurs, 513. Assembly concurs, 539. Published as chapter 252.
- 245, A. A bill authorizing the towns of Horton and Liberty, in Outagamie county, to construct a bridge across Wolf river. Received from assembly, 416. To committee on Roads and Bridges, 417. Reported favorably, 509. Ordered to third reading, 525. Read third time and concurred in, 550. Published as chapter 298.
- 247, A. A bill relating to and amendatory of section 1391, chapter 55 of the revised statutes of 1878, relating to fences. Received from assembly, 415. To Judiciary committee, 416. Reported favorably with amendments, 461. Amended. Ordered to a third reading, 506. Senate concurs, 513. Assembly concurs, 539. Published as chapter 307.
- 248, A. A bill authorizing justices of the peace elected in the town of Lisbon, Juneau county, to keep an office and to perform their duties in any part of the village of New Lisbon, Juneau county. Received from assembly, 321. To Judiciary committee, 323. Reported favorably, 471. Ordered to third reading, 505. Senate concurs, 513. Published as chapter 251.
- 249, A. A bill to legalize the acts therein set forth of the village board of the village of Wonewoc, in the county of Juneau. Received from assembly, 423. To Judiciary committee. Reported favorably, 471. Ordered to third reading, 505. Senate concurs, 513. Published as chapter 250.
- 250, A. A bill to amend chapter 48 of the laws of Wisconsin for the year 1875, entitled an act to authorize the parties therein named, their heirs or assigns, to build and maintain certain booms upon the river and lake St. Croix. Received from assembly, 329. To committee on Incorporations, 323. Reported favorably, 472. Ordered to third reading, 505. Senate concurs, 513. Published as chapter 226.
- 254, A. A bill in relation to the sale of intoxicating liquors. Received from assembly, 415. To Judiciary committee, 416. Reported with amendments, 539. Amendments adopted. Ordered to third reading, 552. Rules suspended. Concurred in, 551. Assembly concurs in senate amendments, 570. Published as chapter 312.
- 255, A. A bill to amend chapter 147 of the laws of 1879, entitled an act to authorize James and William Johnson to erect, maintain and keep up a dam across Willow river, in St. Croix county, Wisconsin. Received from assembly, 416. To committee on Incorporations, 417. Reported favorably, 450. Ordered to third reading, 467. Senate concurs, 496. Published as chapter 208.

- No. 258, A.** A bill to authorize Atley Peterson and Peter Hooverson, their associates and assigns, to construct and maintain a dam across the Kickapoo river on lands owned by them. Received from assembly, 274. To committee on Incorporations, 275. Reported favorably, 315. Ordered to third reading, 335. Read third time and concurred in, 349. Published as chapter 103.
- 259, A.** A bill to amend chapter 5, section 46 of the revised statutes of 1878, entitled of county canvass. Received from assembly, 320. To Judiciary committee, 323. Reported adversely, 379. Indefinitely postponed, 391.
- 260, A.** A bill granting to the city of Winona the right to establish, operate and maintain a ferry or ferries across the Mississippi river in the county of Buffalo, opposite said city. Received from assembly, 415. To committee on State Affairs, 416. Reported favorably with amendments, 490. Rules suspended and senate concurs, 515. Assembly concurs in senate amendments, 574. Received from governor. Amended, concurred in. Published as chapter 311.
- 263, A.** A bill to authorize C. F. Dawes, his associates and assigns, to build and maintain a dam across and otherwise improve Rock river, a tributary of Yellow river, in the county of Wood. Received from assembly, 304. To Judiciary committee, 305. Reported favorably, 471. Ordered to a third reading, 505. Senate concurs, 513. Published as chapter 273.
- 269, A.** A bill to amend subdivision 8 of section 461 of the revised statutes, relating to inspection districts and the examination of teachers. Received from assembly, 320. To committee on Education, 323. Reported favorably, 367. Ordered to third reading, 384. Read third time and concurred in, 390. Published as chapter 155.
- 270, A.** A bill to amend sections 4744 and 4809 of the revised statutes, relating to a change of venue in criminal cases. Received from assembly, 444. To Judiciary committee, 445. Reported indefinite postponement, 452. Indefinitely postponed, 468.
- 271, A.** A bill to appropriate to D. G. Cheever, of Rock county, a sum of money therein named. Received from assembly, 387. To Judiciary committee, 388. Reported adversely, 518. Indefinitely postponed, 536.
- 273, A.** A bill to appropriate to the Southwestern Wisconsin Industrial Association a sum of money therein named. Received from assembly, 522. To General File, 523. Rules suspended and concurred in, 540. Published as chapter 302.
- 274, A.** A bill to amend chapter 318 of the private and local laws of 1855, as amended by chapter 189 of the general laws of 1865, relating to the house of correction of Milwaukee county. Received from assembly. To Milwaukee Delegation, 347. Reported favorably, 464. Ordered to third reading, 505. Senate concurs, 513. Published as chapter 249.
- 275, A.** A bill to compel the owners, proprietors and occupants of dams in the counties of Iowa and La Fayette to construct and maintain fish ways. Received from assembly, 415. To committee on State Affairs, 416. Reported favorably, 490. Ordered to third reading, 514. Published as chapter 248.
- 280, A.** A bill to regulate the service of process in garnishee proceedings. Received from assembly, 303. To committee on Judiciary, 305. Reported favorably, 471. Ordered to third reading, 505. Senate concurs, 514. Published as chapter 253.

- No. 282, A. A bill to amend section 4565 of chapter 185 of the revised statutes of 1878, entitled of offenses against public policy. Received from assembly, 387. To Judiciary committee, 388. Reported indefinite postponement, 453. Indefinitely postponed, 468.
- 283, A. A bill to amend section 4772 of chapter 194 of the revised statutes, entitled fines, to whom paid. Received from the assembly, 369. To Judiciary committee, 372. Reported indefinite postponement, 452. Indefinitely postponed, 468.
- 286, A. A bill to authorize Abel Neff to build and maintain a dam on Prairie river. Received from assembly, 321. To committee on Incorporations, 323. Reported with amendments, 472. Amended. Ordered to third reading, 506. Senate concurs, 514. Assembly concurs, 539. Published as chapter 255.
- 289, A. A bill to amend sections 2561 and 3775 of the revised statutes, in relation to fees of jurors in justices' courts. Received from assembly, 415. To Judiciary committee, 416. Reported indefinite postponement, 471. Indefinitely postponed, 506.
- 290, A. A bill to change the boundary lines of the county of New, and to perfect its organization as the county of Langlade. Received from assembly, 483. To committee on Town and County Organization, 484. Reported without recommendation, 528. Recommitted to Senator Grimmer, 541.
- 291, A. A bill to amend chapter 162 of the laws of 1877, entitled an act to incorporate the city of New London. Received from assembly, 303. To committee on Incorporations, 305. Reported favorably, 314. Ordered to third reading, 335. Read third time and concurred in, 349. Published as chapter 100.
- 292, A. A bill to amend chapter 179 of the laws of 1879, entitled an act relating to the charter of the city of Portage, and amendatory of chapter 122 of the laws of 1876. Received from assembly, 274. To committee on Town and County Affairs, 275. Reported favorably, 332. Ordered to third reading, 350. Read third time. Concurred in, 362. Published as chapter 167.
- 299, A. A bill to provide for the giving of an official bond by town assessors, and to amend section 851 of the revised statutes. Received from assembly, 274. To Judiciary committee, 275. Returned to assembly, 275.
- 301, A. A bill to authorize Thos. J. La Flesch, his associates and assigns, to build and maintain certain dams on the east fork of Black river, in the counties of Wood, Clark and Jackson. Received from assembly, 321. To committee on Incorporations, 323. Reported favorably, 395. Recommitted to committee on Incorporations, 420. Reported with amendments, 520. Amendments adopted. Ordered to third reading, 535. Read third time. Concurred in, 550. Assembly concurs in senate amendments, 557. Published as chapter 303.
- 302, A. A bill relating to crimes and the punishment thereof, and to amend sections 4490 and 4494 of the revised statutes. Received from assembly, 387. To Judiciary committee, 388. Reported favorably, 471. Ordered to third reading, 505. Senate concurs, 514. Published as chapter 280.
- 306, A. A bill to authorize P. B. Champagne to build and maintain a dam across the Wisconsin river in Lincoln county. Received from assembly, 370. To committee on Incorporations, 372. Reported favorably, 395. Ordered to third reading, 419. Concurred in, 432. Published as chapter 168.
- 308, A. A bill to amend section 4564 of the revised statutes of 1878, entitled of fish and game. Received from assembly. To committee on State Affairs, 511. Reported adversely, 527. Non-concurred in, 551.

- No. 311, A.** A bill to fix the salary of the chief of police in the city of Milwaukee, and to prohibit police and other officers of said city from receiving witness fees in certain cases. Received from assembly. To Milwaukee Senators, 228. Reported favorably, 292. Ordered to third reading, 307. Read third time and concurred in, 324. Published as chapter 56.
- 314, A.** A bill to amend chapter 67 of the laws of Wisconsin for 1879, relating to justices of the peace in the city of Watertown, and amendatory of an act entitled an act to incorporate the city of Watertown, and the several acts amendatory thereof. Received from assembly, 397. To Judiciary committee, 388. Recommended to Senator Bennett, 452. Reported favorably, 464. Ordered to third reading, 505. Senate concurs, 514. Published as chapter 254.
- 316, A.** A bill to lay out and establish a state road from the village of Cumberland, in Barron county, to the village of Deer Park, in St. Croix county. Received from assembly. To committee on Roads and Bridges, 388. Reported adversely, 397. Recommended to committee on Roads and Bridges, 397. Reported with amendments, 518. Amendments adopted. Ordered to third reading, 535. Read third time and concurred in, 540. Assembly concurs in senate amendments, 557. Published as chapter 304.
- 323, A.** A bill to amend an act entitled an act to incorporate the city of Oconto, approved March 11, 1869, and the acts amendatory thereof. Received from assembly. To committee on Incorporations, 293. Reported favorably, 314. Ordered to third reading, 335. Read third time and concurred in, 349. Published as chapter 112.
- 326, A.** A bill to amend section 4071 of chapter 175 of the revised statutes of 1878, relating to testimony of defendant in criminal actions. Received from assembly 320. To Judiciary committee, 323. Reported adversely, 379. Indefinitely postponed, 391.
- 328, A.** A bill to authorize the commissioners of public lands to loan a portion of the trust funds of the state to the county of Brown. Received from assembly, 320. To committee on State Affairs, 323. Reported favorably, 354. Ordered to third reading, 374. Read third time and concurred in, 383. Published as chapter 136.
- 329, A.** A bill to regulate the liabilities of villages in cases therein named. Received from assembly, 522. To Judiciary committee, 524. Reported adversely, 529. Indefinitely postponed, 551.
- 332, A.** A bill to amend section 14 of chapter 104 of the private and local laws of 1870, entitled an act to authorize the city of Oconto to extend and maintain a pier into the waters of Green Bay. Received from assembly, 274. To committee on Incorporations, 275. Reported favorably, 314. Ordered to a third reading, 335. Read third time and concurred in, 349. Published as chapter 139.
- 333, A.** A bill to amend chapter 50 of the revised statutes of 1878, entitled of lands sold for taxes. Received from assembly. To Judiciary committee, 511. Reported favorably, 518. Ordered to third reading, 551. Rules suspended. Concurred in, 552. Returned to the senate for reconsideration, 569. Senate amends. Assembly concurs in senate amendments, 583. Published as chapter 309.
- 338, A.** A bill authorizing the special collection of a tax levied by the city of Sheboygan and omitted in the tax roll of 1879. Received from assembly, 303. To committee on Judiciary, 305. Reported favorably, 368. Ordered to third reading, 384. Read third time and concurred in, 390.

- No. 339, A. A bill to authorize the city of Winona to construct, operate and maintain a bridge across the Mississippi river. Received from assembly, 415. To committee on State Affairs, 416. Reported favorably, 491. Rules were suspended. Senate concurs, 515. Published as chapter 274.
- 340, A. A bill relating to the killing of deer in Door county, and amendatory of section 4 of chapter 40 of the laws of 1879. Received from assembly, 303. To committee on State Affairs, 305. Reported favorably, 410. Ordered to third reading, 432. Concurred in, 446. Published as chapter 198.
- 341, A. A bill relating to an act to authorize R. D. Shelsweek to build a pier extending into the waters of Lake Michigan, and amendatory of section 1 of chapter 29 of the laws of 1879. Received from assembly, 330. To committee on Incorporations, 323. Reported favorably, 354. Ordered to third reading, 374. Read third time and concurred in, 383. Published as chapter 181.
- 342, A. A bill to authorize K. A. Ostergreen and his associates to construct and maintain a dam and booms on the Spirit river, in the county of Lincoln. Received from assembly, 303. To committee on Incorporations, 305. Reported favorably, 315. Ordered to third reading, 335. Read third time and concurred in, 349. Published as chapter 102.
- 343, A. A bill to amend sections 1735 and 1736 of chapter 86, revised statutes of the organization of incorporations. Received from assembly. To committee on Incorporations, 388. Reported indefinite postponement, 453. Indefinitely postponed, 468.
- 344, A. A bill relating to the taking of lands for canal purposes, and amendatory of sections 2 and 6 of the general laws of 1877. Received from assembly. To committee on State Affairs, 495. Reported adversely, 519. Indefinitely postponed, 536.
- 345, A. A bill relating to attachments, and amendatory of section 2731 of the revised statutes. Received from assembly, 274. To Judiciary committee, 275. Reported favorably, 458. Ordered to third reading, 467. Senate concurs, 497. Reconsidered. Laid over, 497. Assembly asks return. Ordered returned, 495. Title amended and concurred in, 511. Assembly concurs, 539. Published as chapter 256.
- 346, A. A bill to amend sections 854 and 855 of chapter 40, revised statutes of 1878, entitled of villages. Received from assembly, 370. To committee on Town and County Affairs, 372. Reported favorably, 395. Ordered to third reading, 419. Concurred in, 432. Published as chapter 203.
- 348, A. A bill to provide for the compensation of certain additional employees of the legislature. Received from assembly, 201. Rules suspended. Laid over, 203. Rules suspended. Read third time and concurred in, 231. Published as chapter 20.
- 350, A. A bill authorizing the commissioners of public lands of the state of Wisconsin to extend the time of payment of the loan made from the school fund to school district number six, in the town of Union. Received from assembly, 387. To committee on State Affairs, 388. Reported favorably, 410. Ordered to third reading, 432. Concurred in, 446. Published as chapter 204.
- 351, A. A bill to legalize the action of the Manitowoc Rapids Mutual Fire Insurance Company. Received from assembly, 320. To Judiciary committee, 323. Reported favorably, 379. Ordered to third reading, 391. Read third time and concurred in, 407. Published as chapter 130.

- No. 353, A.** A bill to annex certain territory in the town of Jefferson to certain districts in said town. Received from assembly, 370. To committee on Town and County Affairs, 372. Reported favorably, 386. Ordered to a third reading, 408. Concurred in, 419. Published as chapter 197.
- 356, A.** A bill relating to justices of the peace, and amendatory of section 86 of chapter 40 of the revised statutes. Received from assembly, 320. To Judiciary committee, 323. Reported favorably, 379. Ordered to third reading, 391. Read third time and concurred in, 407. Published as chapter 127.
- 357, A.** A bill to amend subdivision c of section 1946 of chapter 89, revised statutes of 1873, entitled of insurance corporations. Received from assembly, 320. To Judiciary committee, 323. Reported favorably, 379. Ordered to third reading, 391. Read third time and concurred in, 407. Published as chapter 126.
- 360, A.** A bill to authorize Guss A. Drentzer to build a pier into the waters of Green Bay. Received from assembly, 274. To committee on Incorporations, 275. Reported favorably, 315. Ordered to a third reading, 336. Read third time and concurred in, 349. Published as chapter 101.
- 361, A.** A bill relating to the compensation of county judges in certain cases. Received from assembly, 274. To Judiciary committee, 275. Reported indefinite postponement, 453. Indefinitely postponed, 468. Reconsidered. Recommitted to Judiciary committee, 484. Reported with amendments, 529. Amendments adopted. Ordered to third reading, 552. Rules suspended. Concurred in, 551. Assembly concurs in senate amendments, 571. Published as chapter 813.
- 363, A.** A bill to repeal section 1816 of chapter 87 of the revised statutes of 1878, entitled of railroads. Received from assembly. To committee on Judiciary, 511. Reported favorably, 518. Amendment offered and adopted. Ordered to third reading, 535. Rules suspended, and concurred in, 548. Published as chapter 32.
- 364, A.** A bill to legalize the acts of Benjamin B. Baldwin, a justice of the peace in the county of Dane. Received from assembly, 483. To Judiciary committee, 484. Reported favorably, 508. Ordered to third reading, 514. Rules suspended and senate concurs, 516. Published as chapter 246.
- 370, A.** A bill to prevent the manufacturers of lumber, lath or shingles from throwing slabs, edgings, trimmings of lumber or shingles, or saw dust, into the Wisconsin river, or any of its tributaries. Received from assembly. To committee on Incorporations, 437. Reported with amendments, 472. Amended. Ordered to third reading, 506. Senate concurs, 514. Assembly concurs, 539. Assembly concurs in senate amendments, 574. Received from the governor. Amended. Concurred in, 568. Published as chapter 314.
- 374, A.** A bill to amend chapter 133 of the revised statutes of 1878, entitled of actions of ejectment. Received from assembly. To committee on Judiciary, 495. Reported favorably, 518. Ordered to third reading, 535. Read third time. Concurred in, 550. Published as chapter 305.
- 377, A.** A bill to amend chapter 6 of chapter 474 of the private and local laws of 1866, entitled an act to reduce the act incorporating the city of Janesville, and the several acts amendatory thereof, into one act, and to amend the same, approved April 12, 1866. Received from assembly. To committee on Incorporations, 361. Reported with amendments, 412. Rules suspended. Amendments adopted. Read third time and concurred in, 412. Published as chapter 159.

- No. 382, A. A bill relating to embezzlement, and to amend section 4667 of the revised statutes. Received from assembly, 320. To Judiciary committee, 323. Reported favorably, 379. Ordered to third reading, 391. Read third time and concurred in, 407. Published as chapter 125.
- 385, A. A bill to amend chapter 6 of chapter 184 of the laws of 1874, entitled an act to revise, consolidate and amend the city charter of Milwaukee, approved February 20, 1852, and the several acts amendatory thereof. Received from assembly, 522. To Milwaukee Delegation, 523. Rules suspended and concurred in, 524. Published as chapter 245.
- 386, A. A bill to appropriate to J. G. Hellenbolt a certain sum of money therein named. Received from assembly, 522. To General File, 523. Ordered to third reading, 551. Rules suspended. Concurred in, 552. Published as chapter 306.
- 390, A. A bill to authorize the towns of Carleton, Krok and Pierce, in Kewaunee county, to vote upon the question of voting aid for the construction of Kewaunee harbor, in Kewaunee county. Received from assembly, 406. To Judiciary committee, 406. Reported favorably, 411. Ordered to third reading, 433. Concurred in, 446. Published as chapter 195.
- 391, A. A bill to incorporate the city of Platteville. Received from assembly. Rules suspended. Read third time and concurred in, 381. Assembly requests the return of. Vote reconsidered. Amended, and concurred in as amended, 416. Assembly concurs in amendments, 423. Published as chapter 83.
- 394, A. A bill to authorize the city of Boscobel to invest its surplus bridge funds. Received from assembly. To Judiciary committee, 457. Reported favorably, 471. Ordered to third reading, 505. Senate concurs, 514. Published as chapter 244.
- 395, A. A bill relating to the appropriation of money to the state board of immigration, and amendatory of section 7, chapter 176, laws of 1879. Received from assembly, 415. To General File, 416. Laid over, 448. Ordered to third reading, 467. Concurred in, 497. Published as chapter 194.
- 396, A. A bill to appropriate a sum of money therein named to pay for chaplain services in the legislature for the year 1880. Received from assembly, 415. To General File, 416. Amended and ordered to third reading, 433. Concurred in, 447. Senate amendments concurred in, 457. Published as chapter 196.
- 397, A. A bill to amend an act entitled an act to amend, revise and consolidate the city charter of the city of Fond du Lac. Received from assembly. To committee on Incorporations, 388. Reported favorably, 450. Ordered to third reading, 467. Senate concurs, 497. Published as chapter 227.
- 398, A. A bill to ratify and make valid the acts and contracts of the state timber agent therein named. Received from assembly, 423. To committee on Incorporations, 424. Recommitted to committee on State Affairs, 454. Reported favorably, 490. Recommitted to Judiciary committee, 515. Reported with amendments, 518. Rules suspended. Senate concurs, 519. Assembly concurs, 540. Published as chapter 243.
- 399, A. A bill to make the 10th day of June, for the year 1880, a legal holiday. Received from assembly, 523. Rules suspended. Senate concurs, 524. Published as chapter 242.

## JOINT RESOLUTIONS — ASSEMBLY.

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No. 2, A.

Providing for joint committee to wait upon and invite the judges of the supreme court and the state officers to attend at the joint convention of the legislature to hear the message of the governor. Received from assembly, 13. Concurred in, 13.

## No. 3, A.

Relating to adjournment until Monday, the 19th inst. Received from assembly. Concurred in, 14.

## No. 4, A.

Congratulating the people of Maine. Amended. Amendment adopted. Postponed, 41. Reconsidered. Adoption of amendment. Amended. Amendment adopted. Concurred in as amended, 47. Assembly concurred in amendment, 56.

## No. 5, A.

Limiting new business. Received from assembly, 47. To committee on Legislative Expenditures, 48.

## No. 6, A.

Instructing the superintendent of public property to sell stationery to employes. Received from assembly, 47. To committee on Legislative Expenditures, 48. Reported favorably. Concurred in, 53. Indefinitely postponed, 54.

## No. 9, A.

Relating to soldiers' reunion in the city of Milwaukee, June 7, 1880, and on question of certain favors from congress. Received from assembly. Concurred in, 48.

## No. 10, A.

Amending the constitution, and providing for biennial sessions of the legislature. Received from assembly, 201. To committee on State Affairs, 202. Reported adversely, 355. Amended, 425. Concurred in, 426. Reconsidered and laid over, 427.

## No. 12, A.

Proposing an amendment to section 1 of article 3 of the constitution of Wisconsin, relating to suffrage. Received from assembly, 370. To committee on State Affairs, 372. Reported back with recommendation to be returned to assembly, 442. Returned to assembly for correction, 458. Received from assembly, 523. To General File, 524. Concurred in, 527. Motion to reconsider, and motion laid on table, 527.

## No. 15, A.

Relating to furnishing copies of volume 2 of Geological Survey to members of the legislature and others. Received from assembly. Referred to committee on Legislative Expenditures, 108. Reported with amendment, 356. Amendments adopted. Concurred in, 372. Assembly concurs in senate amendments, 406.

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## No. 16, A.

To amend the constitution. Received from assembly, 416. Referred to Senator Price, 417. Reported favorably, 533. Refused adoption, 550.

## No. 17, A.

Relating to furnishing copies of Geological Survey to reporters of daily newspapers. Received from assembly, 148. Referred to committee on Legislative Expenditures, 148. Reported adversely, 356. Indefinitely postponed, 372.

## No. 18, A.

Relating to selling laws of Wisconsin concerning the organization and government of towns, and the powers and duties of the town officers and boards of supervisors, with practical forms. Received from assembly, 148. Concurred in, 148.

## No. 19, A.

Relating to railroad maps. Received from assembly, 193. Returned to assembly, 194. Received from assembly, 228. Concurred in, 228.

## No. 21, A.

Relating to appointment of committee of three in regard to reduction of administrative and legislative expenses. Received from assembly. To committee on Legislative Expenditures, 213. Recommitted to committee on State Affairs, 356. Reported favorably. Non-concurred in, 481.

## No. 24, A.

Asking governor to return M. C. No. 1, A., for correction. Received from assembly, 201. Concurred in, 202.

## No. 25, A.

Granting leave to introduce bills for certain purposes. Received from assembly, 304. Concurred in, 305.

## No. 26, A.

Providing for firing a salute of 100 guns in honor of George Washington. Received from assembly, 304. Amendment offered and adopted. Concurred in, 306. Assembly concurs in senate amendment, 333.

## No. 27, A.

Instructing the superintendent of public property to furnish members of legislature copies of town laws. Received from assembly, 361. Concurred in, 362.

## No. 28, A.

Asking the governor to return No. 1, A., for correction. Received from assembly. Concurred in, 381.

## No. 29, A.

Requesting Mrs. Marion V. Dudley to furnish her address on Woman Suffrage for publication, and authorizing the publication of 1,000 copies of same for the use of the legislature. Received from assembly, 405. Adopted, 406.

## No. 30, A.

Providing for final adjournment of the legislature. Received from assembly. To committee on State Affairs, 457. Reported with substitute, as an amendment. Amendment adopted. Concurred in, 566. Assembly concurs in senate amendments, 571.

## No. 31, A.

Granting leave to introduce a bill for certain purposes. Received from assembly. Laid over, 457. Ruled out of order, 465. Returned for further consideration. Senate concurs, 523.

## ASSEMBLY JOINT RESOLUTIONS.

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### No. 32, A.

Asking the governor to return to the assembly No. 223, A., for further consideration. Received from assembly, 588. Concurred in, 588.

### No. 33, A.

Requesting the governor to appoint a committee of three to investigate affairs of the Wisconsin Hospital for the Insane. Received from assembly, 571. Amendments offered and adopted. Resolution adopted as amended, 574. Assembly concurs in senate amendments, 575.

### No. 34, A.

Requesting the governor to return to the assembly Nos. 52 and 190, S., for further consideration. Received from assembly. Concurred in, 575.

### No. 35, A.

Requesting the return of No. 64, A., to the assembly for further consideration. Received from assembly. Concurred in, 484.

### No. 36, A.

To provide for furnishing copies of the revised statutes to employees of the senate and assembly. Received from assembly. Concurred in, 577.

### No. 37, A.

Appointing committee to wait on the governor. Received from assembly. Amendment offered and adopted. Concurred in. Assembly concurs in senate amendment, 588.

## MEMORIALS TO CONGRESS — ASSEMBLY.

## No. 1, A.

For an appropriation for the proposed harbor at Kewaunee. Received, from assembly, 56. Rules suspended. Read third time. Concurred in, 57. Received from assembly with amendments, 250. Concurred in, 250.

## No. 2, A.

For an appropriation to construct light houses at the entrance of the Sturgeon Bay canal, and at Sherwood's Point at the entrance of Sturgeon Bay, in Wisconsin. Received from assembly, 40. Referred to committee on Federal Relations, 41. Reported favorably, 45. Concurred in, 48. Ordered to third reading, 54. Read third time. Concurred in, 57.

## No. 3, A.

To the postmaster general, for an increase of mail service from the village of Merton, in Waukesha county, to Lake Five, in Washington county. Received from assembly, 201. To committee on Federal Relations, 202. Reported favorably, 357. Ordered to third reading, 374. Read third time. Concurred in 383.

## No. 4, A.

For an increase and change of mail service in Door county. Received from assembly, 193. To committee on Federal Relations, 194. Reported favorably, 357. Ordered to third reading, 374.

## No. 5, A.

Relating to construction of a harbor of refuge at Milwaukee, Wisconsin. Received from assembly. Referred to Milwaukee Delegation, 101. Reported favorably, 115. Rules suspended. Read third time. Concurred in, 115.

## No. 6, A.

For an appropriation to reopen the channel of Wolf river, in northern Wisconsin. Received from assembly, 201. To committee on Federal Relations, 202. Reported favorably, 357. Ordered to third reading, 374. Read third time. Concurred in, 383.

## No. 7, A.

Memorial to congress relating to school lands. Received from assembly, 416. To committee on Federal Relations, 416. Reported favorably, 473. Ordered to third reading, 505. Senate concurs, 514.

## No. 8, A.

For an appropriation to restore the Oconto river, from the city of Oconto to its mouth, to a navigable condition, to straighten and shorten its channel, and protect its mouth. Received from assembly. To committee on Federal Relations, 408. Reported favorably, 413. Ordered to third reading, 433. Concurred in, 447.

## No. 9, A.

To the postmaster general, to establish a semi-weekly mail in Door county. Received from assembly, 304. To committee on Federal Relations, 305. Reported favorably, 357. Ordered to third reading, 374. Read third time and concurred in, 383.

## No. 10, A.

Memorial to Wisconsin delegates in congress, relative to Reagan bill. Received from assembly, 488. To committee on Federal Relations, 484. Reported adversely, 520. Indefinitely postponed, 542.

## No. 11, A.

Memorial to congress praying for an equalization of soldiers' bounties. Received from assembly. To committee on Federal Relations, 495. Reported favorably, 520. Ordered to third reading, 542. Concurred in, 550.

## No. 12, A.

Memorial to congress asking for the passage of a law regulating the sale of patent rights. Received from assembly, 304. To committee on Federal Relations, 305. Reported favorably, 357. Ordered to third reading, 374. Read third time and concurred in, 383.

## No. 13, A.

For an appropriation for the harbor at Manitowoc. Received from assembly, 370. To committee on Federal Relations, 372. Reported favorably, 413. Ordered to third reading, 433. Concurred in, 447.

## No. 14, A.

To the postmaster general for an increase of mail service on route 25,185, between Muscoda, Grant county, and Viroqua, Vernon county. Received from assembly, 304. To committee on Federal Relations, 305. Reported favorably, 357. Ordered to third reading, 374. Read third time and concurred in, 383.

## No. 15, A.

Memorial to congress to authorize the building of a bridge across Sturgeon Bay, in Door county. Received from assembly, 304. To committee on Federal Relations, 305. Reported favorably, 357. Recommended to Senator Grimmer, 375.

## No. 16, A.

For a national law to protect the fishing interests in fresh water lakes and their tributaries. Received from assembly, 320. To committee on Federal Relations, 323. Reported favorably, 357. Ordered to third reading, 374. Read third time and concurred in, 383.

## No. 17, A.

Memorial to congress in relation to the St. Croix land grant. Received from assembly, 416. To committee on Federal Relations, 417. Reported favorably, 473. Laid over, 506. Rules suspended and concurred in, 515.

## No. 18, A.

Memorial to congress relating to the improvement of the Mississippi river and its tributaries. Received from assembly. To committee on Federal Relations, 495. Reported favorably, 520. Ordered to third reading, 542. Concurred in, 551.

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**AMENDMENTS TO LAWS —**

No. 5, S. To amend chapter 167, general laws 1879, entitled an act to amend sections 3329 and 3330 of the revised statutes of 1878, entitled of liens.

11, S. To amend section 329 of chapter 20 of the revised statutes of 1878, relating to the publication of the laws.

14, S. To amend chapter 195 of the laws of 1878, entitled an act to incorporate the city of Waupun.

17, S. To amend section 2455 of chapter 114 of the revised statutes of 1878, entitled of county courts.

20, S. To amend section 1, chapter 279, laws of 1878, relating to Milwaukee and Brookfield Macadamized Company.

22, S. To amend section 4153 of the revised statutes, relating to evidence.

23, S. To amend sections 3875 and 3878 of revised statutes of 1878, relating to the sale of lands by executors and administrators.

24, S. To amend section 24 of the revised statutes of 1878, relating to non-registered voters.

25, S. To amend chapter 284 of the private and local laws of 1866, entitled an act to incorporate the Eau Claire Lumber Company.

27, S. To amend section 4771 of the revised statutes of 1878, in relation to security of costs in criminal cases.

29, S. To amend chapter 34 of the revised statutes, entitled of the militia, and an act amendatory thereof, and to provide for the greater efficiency of the Wisconsin National Guard.

32, S. A bill to amend section 111 a of the revised statutes of 1878, entitled of the legislature.

34, S. To amend section 3572 of chapter 154, revised statutes of 1878, relating to bonds of counties, cities, villages, etc.

35, S. To amend section 3372 of chapter 154, revised statutes of 1878, entitled of general provisions and of the jurisdiction of justices in civil actions.

37, S. To amend section 2626, revised statutes of 1878, relating to change of venue in civil cases, and to amend section 4680, revised statutes of 1878, relating to the changes of venue in criminal cases.

40, S. To amend chapter 204, general laws of 1879, entitled an act relating to secret, beneficiary, charitable and benevolent orders.

41, S. To amend chapter 141, laws of 1879, entitled an act to amend section 121, chapter 10, revised statutes of 1878, in relation to the distribution of blue books.

42, S. To amend section 2437 of the revised statutes, in relation to phonographic reporters.

45, S. To amend section 4560 of the revised statutes of 1878, entitled of fish and game.

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### AMENDMENTS TO LAWS — (continued).

- No. 46, S. Relating to the payment of fees upon settlement of estates of deceased persons in the county of Milwaukee, and amendatory of section 2483 of the revised statutes of 1878.
- 47, S. To amend chapter 13, revised statutes of 1878, relating to appointments of notaries public and prescribing their duties.
- 48, S. To amend section 4415, revised statutes of 1878, relating to punishment for larceny.
- 58, S. Relating to assessments for water pipes in the city of Milwaukee, and amendatory of sections 15, 16 and 17, of chapter 10 of chapter 184 of the laws of 1874.
- 62, S. To amend section 111 *a* of the revised statutes of 1878, entitled of the legislature.
- 63, S. A bill relating to writs of mandamus and prohibition, and amendatory of section 3452 of the revised statutes of 1878.
- 65, S. Relating to the municipal court of the city of Eau Claire, and amendatory of section 10 of chapter 183 of the laws of Wisconsin for 1874, as amended by section 1 of chapter 329 of the laws of Wisconsin for 1878.
- 68, S. To amend sections 1 and 5 of chapter 192 of the laws of 1879, entitled an act to regulate the size of meshes of nets used in, waters of Lake Michigan and the waters of Green Bay and the waters of Lake Superior, and for the better enforcement of the fish and game laws of the state, and to repeal section 4563 of the revised statutes.
- 75, S. To amend section 4679 of the revised statutes, relating to change of venue in criminal cases.
- 81, S. To amend section 4395 of the revised statutes of 1878, entitled of offenses against the lives and persons of individuals.
- 82, S. To repeal sections 592 and 594 of the revised statutes of 1878, relating to public charities, and to amend section 593, revised statutes 1878, and to prescribe the procedure for committing persons to the insane hospital.
- 83, S. A bill relating to railroads, and to amend section 1839 of the revised statutes, in relation to execution and recording of conveyances of railroad corporations.
- 86, S. A bill to amend section 4565 of the revised statutes, relating to certain game.
- 89, S. A bill to amend chapter 131, revised statutes of the state of Wisconsin, relating to court commissioners.
- 97, S. To amend section 843 of chapter 39 of the revised statutes of 1878, relating to constable fees.
- 100, S. To amend the charter of the city of Prairie du Chien.
- 101, S. Relating to village charters, and amendatory of sections 910 and 875 of chapter 40 of the revised statutes of 1878.
- 102, S. A bill to amend sections 1546, 1547 and 1786 of chapters 65 and 86 of the revised statutes, relating to industrial schools and commitments thereto.
- 106, S. A bill relating to the division of towns into election districts, and amendatory of section 27, chapter 5 of the revised statutes.
- 107, S. To amend section 1971, chapter 89 of the revised statutes of 1878, relating to insurance corporations.
- 116, S. To amend section 1926, chapter 89 of the revised statutes of 1878, entitled of insurance corporations.
- 117, S. To amend section 20 of chapter 5 of the revised statutes of 1878, entitled of electors and general elections.
- 121, S. To amend chapter 141 of the laws of Wisconsin for 1879, in relation to the distribution of Blue Books.

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### AMENDMENTS TO LAWS — (continued).

- No. 123, S. To amend chapter 299 of the private and local laws of the year 1870, entitled an act to define the several acts and duties of the Beef Slough Manufacturing, Booming, Log Driving and Transportation Company.
- 124, S. To amend section 1 of chapter 251 of the laws of 1879, entitled of insurance corporations.
- 125, S. A bill relating to offenses against the lives and persons of individuals, and amendatory of section 4389, chapter 181, revised statutes of 1878.
- 127, S. To amend section 680 of the revised statutes, relating to claims against counties.
- 128, S. To amend chapter 22 of the revised statutes of 1878, entitled of the distribution of public documents.
- 134, S. To amend chapter 231 of the laws of 1876, entitled an act to amend, and re-enact as amended, chapter 333 of the laws of 1875, entitled an act to amend chapter 16 of the private and local laws of 1872, entitled an act to incorporate the city of Eau Claire so as to authorize the construction of water works by and for said city.
- 187, S. To amend section 2922 of the revised statutes, concerning costs and fees allowed to parties in circuit courts.
- 189, S. To amend section 5 of chapter 51 of the general laws of 1866, entitled an act to authorize the use of money arising from the sale of certain swamp and overflowed lands in the counties of Manitowoc and Calumet, for drainage and other purposes, and to amend chapter 587 of the laws of 1865, relating thereto.
- 144, S. To amend section 1979 of chapter 90 of the revised statutes of 1878, relating to organization for protection against fire.
- 152, S. Amendatory of chapter 217, laws of 1874, entitled an act to appropriate to James Reynolds and John Fellenz a sum of money therein named, and to authorize them to bring an action against the state for the amount of their claim not covered by such appropriation.
- 157, S. Relating to remedies supplementary to execution, and amendatory of section 3033 of the revised statutes.
- 162, S. To amend the charter of Wausau Boom Company.
- 164, S. Relating to costs and fees, and amendatory of section 252 of the revised statutes of 1878.
- 165, S. To amend section 1 of chapter 160 of the laws of 1873, relating to the charter of the city of Madison.
- 166, S. To amend section 14 of chapter 11 of chapter 500 of the private and local laws of 1868, entitled an act to consolidate and amend an act to incorporate the city of Madison, and the several acts amendatory thereof.
- 167, S. To consolidate and amend an act entitled an act to incorporate the city of Madison and the several acts amendatory thereof.
- 169, S. To amend section 1795 of the revised statutes, relating to corporations.
- 170, S. To amend section 2918 of chapter 129 of the revised statutes, entitled of costs and fees allowed to parties in circuit courts.
- 172, S. To amend section 1797 of the revised statutes, in relation to the salary of the clerk of the railroad commissioner.
- 181, S. To amend chapter 281 of the laws of 1876, entitled an act to amend, and re-enact as amended, chapter 333 of the laws of 1875, entitled an act to amend chapter 16 of the private and local laws of 1872, entitled an act to incorporate the city of Eau Claire, so as to authorize the construction of water works by and for said city.

[Where any subject is referred to by number of bill, resolution or M. C., either Senate or Assembly, see corresponding number in "History of Bills," immediately preceding the Index.]

### AMENDMENTS TO LAWS — (continued).

- No. 192, S. To amend chapter 171 of the private and local laws of 1868, entitled an act to incorporate the Wisconsin River Improvement Company, and to amend chapter 298 of the laws of 1876, amendatory thereof.
- 198, S. To amend section 670 of the revised statutes of 1878, and chapter 190 of the general laws of 1879, relating to the organization of towns.
- 200, S. To amend chapter 58 of the private and local laws of 1859, entitled an act to incorporate the Madison Gymnastic Association.
- 201, S. To amend section 1480 of the revised statutes of 1878, relating to the prevention of the spread of noxious weeds.
- 202, S. To amend section 12 of chapter 84 of the private and local laws of 1864, entitled an act to incorporate the Black River Improvement Company, approved February 23, 1865.
- 204, S. To amend section 1192 of chapter 50 of the revised statutes, entitled land sold for taxes.
- 205, S. To amend section 948 of chapter 41 of the revised statutes of 1878, entitled general provisions relating to municipalities.
- 211, S. To amend chapter 2 of chapter 12 of the private and local laws of 1858, entitled an act to incorporate the city of Ripon.
- 213, S. To amend chapter 3 of chapter 72 of the private and local laws of 1858, entitled an act to incorporate the city of Ripon.
- 217, S. To amend the subdivisions entitled additional powers of peculiar corporations, of chapter 56 of the revised statutes of Wisconsin, entitled of the organization of corporations.
- 218, S. Relating to the board of state canvassers, and amendatory of section 58 of chapter 5 of the revised statutes of 1878.
- 219, S. To amend section 1 of chapter 80 of the private and local laws of 1855, entitled an act supplementary to an act to incorporate the Milwaukee Mechanics' Mutual Insurance Company, relating to restrictions in the bringing of suits.
- 220, S. To amend section 1798, chapter 87, revised statutes of 1878, entitled of railroads.
- 221, S. To amend section 181 of the revised statutes, relating to sheriffs' fees.
- 222, S. To amend chapter 35, laws of 1879, entitled an act regulating the use and improvement of stock.
- 223, S. Relating to and amendatory of the charter of the city of Portage.
- 224, S. Relating to the payment and collection of taxes by county treasurers, and amendatory of section 1121 of the revised statutes.
- 225, S. In relation to fences, and to amend section 1391 of the revised statutes of 1878.
- 226, S. Relating to fees and costs, and to amend the revised statutes of 1878.
- 227, S. To amend section 2731 of the revised statutes of 1878, relating to proceedings by attachment.
- 228, S. To amend chapter 407 of the private and local laws of 1868, entitled an act to enable the city of Kenosha to readjust and fund its indebtedness.
- 231, S. To amend section 2424 of the revised statutes, relating to the time of holding court in Brown county.
- 240, S. To amend chapter 89, laws of 1877, entitled an act to incorporate the city of Chilton.
- 243, S. Pertaining to and amendatory of the charter of the city of Milwaukee.
- 244, S. To amend section 4564 of chapter 185 of the revised statutes of 1878, entitled of offenses against public property.

[Where any subject is referred to by number of bill, resolution or M. C., either Senate or Assembly, see corresponding number in "History of Bills," immediately preceding the Index.]

### AMENDMENTS TO LAWS — (continued).

- No. 245, S. To amend chapter 124 of the revised statutes, relating to attachment.
- 247, S. Relating to jurisdiction of the peace in civil actions, and to amend sections 3568, 3569, 3616 and 3617 of the revised statutes of 1878.
- 249, S. To amend section 1570 of chapter 67 of the revised statutes, entitled of the state officers.
- 250, S. To amend section 120 of chapter 11 of the revised statutes, entitled of the state officers.
- 251, S. To amend section 422 of the revised statutes, relating to the alteration of school districts.
- 253, S. To amend section 1220, chapter 51 of the revised statutes, in relation to license fees of life and accidental insurance companies doing business in the state of Wisconsin.
- 254, S. To amend section 1213 of the revised statutes of 1878, in relation to the taxation of railroad, telegraph, fire, inland navigation and life insurance companies.
- 259, S. To amend the charter of the city of Green Bay.
- 10, A. To amend sections 1 and 2 of chapter 108 of the laws of 1879, entitled an act to provide for the laying out of a state road from Lincoln, Kewaunee county, to intersect the Green Bay and Sturgeon Bay state road in the town of Green Bay, Brown county.
- 18, A. To amend an act entitled an act to revise, consolidate and amend the city charter of the city of Fond du Lac, approved March 5, 1879.
- 37, A. To amend section 1014 of the revised statutes, relating to statistics.
- 35, A. To amend section 4451, chapter 182, revised statutes, entitled offenses against property.
- 44, A. To amend section 4756 of chapter 194 of the revised statutes of 1878, entitled of proceedings in criminal cases in justices' courts.
- 6, A. To amend section 1928 of chapter 89 of the revised statutes of 1878 in relation to town insurance companies.
- 86, A. To amend section 169 of the revised statutes, entitled of state officers.
- 26, A. To amend chapter 52 of the revised statutes of 1878, entitled of highways and bridges.
- 40, A. To amend the charter of the city of Oshkosh.
- 49, A. To amend section 4565 of chapter 185, revised statutes, entitled of offenses against public policy.
- 51, A. To amend the charter of the city of Watertown.
- 58, A. To amend section 1683 of the revised statutes, and to authorize the laying of street railways or tramways in villages and towns.
- 60, A. Relating to and amendatory of section 8326 of chapter 143, revised statutes of 1878, entitled of liens.
- 65, A. To amend section 5 of chapter 76 of the private and local laws of Wisconsin, passed in the year 1868, entitled an act to consolidate Union School District No. 1, in the city of Beloit joint with the towns of Beloit and Turtle, and Union School District No. 2, of the city of Beloit, joint with the town of Beloit, and for the formation of Beloit city school district.
- 79, A. To amend chapter 141 of the laws of 1879, in relation to the distribution of Blue Books.
- 87, A. To amend section 4 and section 16 of chapter 148 of the laws of 1873, entitled an act to incorporate the city of Boscobel,

[Where any subject is referred to by number of bill, resolution or M. C., either Senate or Assembly, see corresponding number in "History of Bills," immediately preceding the Index.]

### AMENDMENTS TO LAWS — (continued).

- and to repeal section 1, chapter 84 of the laws of 1875, entitled an act to amend chapter 148 of the laws of 1873, entitled an act to incorporate the city of Boscobel.
- No. 99, A. To amend section 2523 of chapter 115 of the revised statutes, entitled of the municipal court of Dane county.
- 108, A. To amend chapter 260 of the laws of Wisconsin for 1877, entitled an act to revise, consolidate and amend the charter of the city of Stevens Point, approved May 17, 1858, and the several acts amendatory thereof.
- 182, A. To amend section 670, chapter 36, of the revised statutes, relating to special powers of county boards of supervisors.
- 117, A. To amend section 925 of chapter 40 of the revised statutes of 1878, entitled towns, cities and villages.
- 46, A. To amend subdivision 4 of section 670 of the revised statutes, relating to the bounty on wild animals.
- 136, A. To amend an act entitled an act to provide for the registry of electors at charter elections in the city of Milwaukee.
- 84, A. In relation to fees of sheriffs, and amendatory of subdivisions 7 and 33 of section 731 of the revised statutes.
- 135, A. To amend subdivision 2, section 339, chapter 20, of the revised statutes of 1878, entitled of public printing.
- 101, A. In relation to a ferry across the Mississippi river, and amendatory of chapter 216 of the private and local laws of 1871, entitled an act to authorize Henry Gardner and Albert H. Warham to keep and maintain a ferry across the Mississippi river at a point where the line of Crawford and Vernon counties strikes said river.
- 139, A. To amend section 2525 of chapter 116 of the revised statutes, entitled of jurors.
- 292, A. To amend chapter 179 of the laws of 1879, entitled an act relating to the charter of the city of Portage, and amendatory of chapter 122 of the laws of 1876.
- 299, A. To provide for the giving of an official bond by town assessors, and to amend section 851 of the revised statutes.
- 332, A. To amend section 14 of chapter 104 of the private and local laws of 1870, entitled an act to authorize the city of Oconto to extend and maintain a pier into the waters of Green Bay.
- 845, A. Relating to attachments, and amendatory of section 2731 of the revised statutes.
- 186, A. To amend an act entitled an act to revise, consolidate and amend the charter of the city of Racine, approved August 8, 1848, and the several acts amendatory thereof, approved March 11, 1876, and the several acts amendatory thereof.
- 228, A. To amend section 1390 of chapter 55 of the revised statutes of 1878, by adding the words "wire and barbed wire" after the word "board," in the second line of said section.
- 323, A. To amend an act entitled an act to incorporate the city of Oconto, approved March 11, 1869, and the acts amendatory thereof.
- 158, A. To amend section 1 of chapter 47 of the private and local laws of Wisconsin for the year 1872, entitled an act for the division of the borough of Fort Howard and the town of Lawrence, and the erection of the town of Ashwaubenon, in Brown county.
- 91, A. To amend section 1931 of chapter 89 of the revised statutes, entitled of insurance corporations.

[Where any subject is referred to by number of bill, resolution or M. C., either Senate or Assembly, see corresponding number in "History of Bills," immediately preceding the Index.]

### AMENDMENTS TO LAWS — (continued).

- No. 98, A. Amending the charter of the Evansville Seminary, and the several acts amendatory thereof.
- 148, A. To amend the charter of the city of Abnapee, Kewaunee county.
- 165, A. Relating to the assessment of personal property for taxation, and to amend section 1040 of the revised statutes.
- 172, A. To amend section 14 of chapter 103, laws of 1879, relating to tax deeds in Price county.
- 201, A. Relating to revised statutes, and amending the same.
- 291, A. To amend chapter 162 of the laws of 1877, entitled an act to incorporate the city of New London.
- 340, A. Relating to the killing of deer in Door county, and amendatory of section 4 of chapter 40 of the laws of 1879.
- 174, A. To amend sections 1927, 1928 and 1929, chapter 89, revised statutes, relating to town insurance companies.
- 877, A. To amend chapter 6 of chapter 474 of the private and local laws of 1866, entitled an act to reduce the act incorporating the city of Janesville, and the several acts amendatory thereof, into one act, and to amend the same, approved April 12, 1866.
- 120, A. To amend section 351 of chapter 22 of the revised statutes of 1878, in relation to the distribution of public documents.
- 131, A. To amend section 3368 of chapter 145 of the revised statutes of 1878, in relation to appeals from justice courts.
- 242, A. To amend an act entitled an act to incorporate the chamber of commerce of the city of Milwaukee, approved February 29, 1868.
- 283, A. To amend section 4772 of chapter 194 of the revised statutes, entitled fines, to whom paid.
- 346, A. To amend sections 854 and 855 of chapter 40, revised statutes of 1878, entitled of villages.
- 2, A. To amend section 1 of chapter 192, laws of 1879, entitled an act to regulate the sizes of meshes of nets used in the waters of Lake Michigan, and the waters of Green Bay, and the waters of Lake Superior, and for the better enforcement of the fish and game laws of the state, and to repeal section 4563 of the revised statutes.
- 199, A. To amend section 4115 of the revised statutes of 1878, relating to depositions taken without the state.
- 176, A. To amend section 1940 of chapter 89 of revised statutes, relating to town insurance companies.
- 192, A. To amend chapter 409 of the general laws of 1864, entitled an act to authorize the village of De Pere and the town of Lawrence to purchase or lease a certain bridge across Fox river.
- 282, A. To amend section 4565 of chapter 185 of the revised statutes of 1878, entitled of offenses against public policy.
- 302, A. Relating to crimes and the punishment thereof, and to amend sections 4490 and 4494 of the revised statutes.
- 229, A. To amend section 3774 of chapter 161 of the revised statutes of 1878, relating to fees of justices.
- 158, A. To amend section 1 of chapter 47 of the private and local laws of Wisconsin for 1872, entitled an act for the division of the borough of Fort Howard and the town of Lawrence, and the erection of the town of Ashwaubenon, in Brown county.
- 80, A. To amend section 914 of the revised statutes, relating to taxes levied by village boards.

[Where any subject is referred to by number of bill, resolution or M. C., either Senate or Assembly, see corresponding number in "History of Bills," immediately preceding the Index.]

### AMENDMENTS TO LAWS — (continued).

- No. 175, A. To amend section 2 of subchapter 3 of chapter 159 of the laws of 1878, relating to the charter of the city of Chippewa Falls, and to revise and re-enact section 10 of subchapter 4, and section 4 of subchapter 7, and section 3 of subchapter 12, and section 10 of subchapter 15 of said chapter 159.
- 239, A. To amend section 1623 of the revised statutes, relating to dogs, and exempting Washington county therefrom.
- 314, A. To amend chapter 67 of the laws of Wisconsin for 1879, relating to justices of the peace in the city of Watertown, and amendatory of an act entitled an act to incorporate the city of Watertown, and the several acts amendatory thereof.
- 343, A. To amend sections 1785 and 1786 of chapter 86, revised statutes, of the organization of incorporations.
- 397, A. To amend an act entitled an act to amend, revise and consolidate the city charter of the city of Fond du Lac.
- 317, A. To amend section 1 of subchapter 8 of chapter 184 of the laws of 1874, entitled an act to revise, consolidate and amend the charter of the city of Milwaukee, approved February 20, 1852, and the several acts amendatory thereof.
- 144, A. To amend section 2623, chapter 119 of the revised statutes of 1878, entitled of the place of trial of civil actions.
- 247, A. Relating to and amendatory of section 1391, chapter 55, entitled of fences.
- 145, A. To amend section 3331 of chapter 143 of the revised statutes, entitled liens upon logs and lumber.
- 122, A. To amend subdivision 1 of section 339, chapter 20 of the revised statutes, entitled of public printing.
- 289, A. To amend sections 2561 and 3775 of the revised statutes, in relation to fees of jurors in justice courts.
- 82, A. Relating to offenses against property, and to amend section 4449 of the revised statutes.
- 255, A. To amend chapter 147 of the laws of 1879, entitled an act to authorize James and William Johnson to erect, maintain and keep up a dam across Willow river, in St. Croix county, Wisconsin.
- 209, A. To amend charter of city of Waupaca, in Waupaca county.
- 270, A. To amend sections 4744 and 4809 of the revised statutes, relating to change of venue in criminal cases.
- 202, A. Relating to and amendatory of section 1108 of chapter 49 of revised statutes of 1878, entitled of taxation.
- 150, A. To amend chapter 127 of the laws of 1874, entitled an act to incorporate the city of Menasha.
- 344, A. Relating to the taking of lands for canal purposes, and amendatory of sections 2 and 6 of the general laws of 1877.
- 374, A. To amend chapter 133 of the revised statutes of 1873, entitled of actions of ejectment.
- 333, A. To amend chapter 50 of the revised statutes of 1878, entitled of lands sold for taxes.
- 306, A. To amend section 4564 of the revised statutes of 1878, entitled of fish and game.
- 383, A. To amend chapter 6 of chapter 184 of the laws of 1874, entitled an act to revise, consolidate and amend the city charter of Milwaukee, approved February 20, 1852, and the several acts amendatory thereof.
- 116, A. To amend chapter 43 of the laws of 1878, entitled an act to amend section 6 of chapter 121 of the laws of Wisconsin for the year 1876, entitled an act relating to the preparation, publication and distribution of the final report of the geological survey.

[Where any subject is referred to by number of bill, resolution or M. C., either Senate or Assembly, see corresponding number in "History of Bills," immediately preceding the Index.]

**AMENDMENTS TO LAWS — (continued).**

- No. 42, A. To amend section 602 of the revised statutes, relating to the government of the Wisconsin Hospital for the Insane.
- 179, A. To amend sections 2489, 2490 and 2498 of the revised statutes of 1878, relative to the municipal court of the city and town of Ripon.
- 181, A. To amend section 3725 of chapter 158 of the revised statutes of 1878, relating to proceedings in garnishment.
- 230, A. Relating to and amendatory of section 2216 of chapter 100 of the revised statutes of 1878, entitled of conveyances.
- 250, A. To amend chapter 48 of the laws of Wisconsin for the year 1875, entitled an act to authorize the parties therein named, their heirs or assigns, to build and maintain certain booms upon the river and lake St. Croix.
- 259, A. To amend chapter 5, section 46 of the revised statutes of 1878, entitled of county canvass.
- 269, A. To amend subdivision 8 of section 461 of revised statutes, relating to inspection districts, and the examination of teachers.
- 326, A. To amend section 4071 of chapter 175 of the revised statutes of 1878, relating to testimony of defendant in criminal actions.
- 185, A. Relating to and amendatory of section 1938 of chapter 89, revised statutes of 1878, entitled of insurance companies.
- 341, A. Relating to an act to authorize R. D. Shelsweek to build a pier extending into the waters of Lake Michigan, and amendatory of section 1 of chapter 29 of the laws of 1879.
- 356, A. Relating to justices of the peace, and amendatory of section 86 of chapter 40 of the revised statutes.
- 357, A. To amend subdivision 2 of section 1946 of chapter 89, revised statutes of 1878, entitled of insurance corporations.
- 382, A. Relating to embezzlement, and to amend section 4667 of the revised statutes.
- 374, A. To amend chapter 318 of the private and local laws of 1855, as amended by chapter 189 of the general laws of 1865, relating to the house of correction of Milwaukee county.
- 184, A. To revise, consolidate and amend the city charter of the city of Wausau.

**ANDERSON, SENATOR —**

- Bill No. 144, S.
- 201, S.
- 238, S.
- 239, S.
- Pet. No. 49, S.
- Res. No. 19, S.
- Jt. Res. No. 11, S.

**ANNEXATION OF TERRITORY —**

- No. 353, A. Relating to.

**APPOINTING COMMITTEE TO WAIT ON GOVERNOR —**

- Jt. Res. No. 36, A.

**APPROPRIATIONS —**

- No. 8, S. To appropriate a certain sum of money therein named to George W. Perry.
- 18, S. To appropriate to the commissioners of fisheries a certain sum therein named.

[Where any subject is referred to by number of bill, resolution or M. C., either Senate or Assembly, see corresponding number in "History of Bills," immediately preceding the Index.]

### APPROPRIATIONS—(continued).

- No. 36, S. To appropriate the sum of five hundred dollars to the Wisconsin Dairymen's Association.
- 38, S. To appropriate to Dodge county a sum of money therein named.
- 59, S. To appropriate to the Institution for the Education of the Blind a sum of money therein named.
- 61, S. To appropriate to the Institution for the Education of the Deaf and Dumb a sum of money therein named.
- 70, S. To appropriate to the state printer a sum of money therein named.
- 87, S. To appropriate to the superintendent of public property a sum of money therein named, to purchase the necessary stationery for the use of the legislature and state officers for the ensuing year.
- 88, S. To provide for the rebuilding of a portion of the Institution for the Education of the Deaf and Dumb, and to appropriate the sum of money therein named.
- 90, S. To appropriate to the Industrial School for Boys a certain sum of money for current expenses.
- 91, S. To appropriate to the Institution for the Education of the Deaf and Dumb a sum of money therein named.
- 92, S. To appropriate to the Wisconsin State Hospital for the Insane certain sums of money to defray current expenses, and for special purposes.
- 93, A. To appropriate to the Wisconsin State Hospital for the Insane a certain sum of money to pay indebtedness.
- 94, S. To appropriate to the Northern Hospital for the Insane certain sums of money for current expenses and special purposes.
- 99, S. To appropriate a sum of money therein named.
- 115, S. To appropriate a certain sum of money therein named to the Wisconsin Industrial School for Girls.
- 135, S. To appropriate to the State Agricultural Society the sum of money therein named.
- 138, S. To appropriate to the Northern Wisconsin Agricultural and Mechanical Association a sum of money therein named.
- 146, S. To appropriate to the county of Kenosha a certain sum of money therein named.
- 147, S. To appropriate the sum of one thousand dollars to the Central Wisconsin Agricultural and Mechanical Association.
- 163, S. To appropriate to the Northern Hospital for the Insane a certain sum of money therein named.
- 229, S. To appropriate to R. R. Fallows a sum of money therein named.
- 230, S. To appropriate a sum of money therein named for the erection in the county of Brown, upon a suitable site, to be donated by the citizens of the said county, of an institution for the education of the deaf and dumb.
- 232, S. To appropriate a sum of money therein named to the Horticultural Society.
- 234, S. To appropriate a sum of money therein named for the purchase of a building or buildings located in the county of Brown, to be used as an institution for the education of the deaf and dumb, and for the fitting up of such building or buildings, and for the maintenance of such institution until March 1, 1881.
- M. C. No. 6, S. For an appropriation to pay awards for flowage caused by the United States in the construction and maintenance of the Fox and Wisconsin improvement.

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**APPROPRIATIONS — (continued).**

- No. 258, S. To appropriate to Wood county a sum of money therein named.
- 58, A. To appropriate to George B. McMillan a sum of money therein named as extra pay for services in the late war.
- 88, A. To appropriate to Robert May a sum of money therein named.
- 271, A. To appropriate to D. G. Cheever, of Rock county, a sum of money therein named.
- 110, A. To appropriate to Kewaunee county a sum of money therein named.
- 895, A. Relating to the appropriation of money to the state board of immigration, and amendatory of section 7, chapter 176, laws of 1879.
- 896, A. To appropriate a sum of money therein named to pay for chaplain services in the legislature for the year 1880.
- 273, A. To appropriate to the Southwestern Industrial Association a sum of money therein named.
- 386, A. To appropriate to J. J. Hellenbolt a certain sum of money therein named.
- 17, A. To appropriate to David Wetherby and William James a sum of money therein named.
- M. C. No. 13, A. For an appropriation for the harbor at Manitowoc.

**APPEALS —**

- No. 121, A. Relating to, from justices' courts.

**ASSESSMENTS —**

- No. 123, S. Relating to equalization of.
- Pet. No. 144, S. Relating to equalization of.

**ASSESSMENT OF PROPERTY —**

- No. 238, S. Relating to.

**ASHWAUBENON, TOWN OF —**

- No. 158, A. Erection of.

**ASSIGNMENT OF TAX CERTIFICATES —**

- No. 71, A. Relating to.

**ASKING FOR THE RETURN —**

- Of Nos. 30 and 114, S., from the governor, Jt. Res. No. 16, S.
- Of No. 85, S., from the governor, Jt. Res. No. 17, S.
- Of M. C. No. 1, A., from governor, Jt. Res. No. 24, A.
- Of No. 167, S., from the governor, Jt. Res. No. 21, S.
- Of Nos. 270, A., 260, A. and 184, A., from governor, Jt. Res. No. 20, S.
- Of No. 238, A., from the governor, Jt. Res. No. 32, A.

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- No. 345, A. Relating to.
- 245, S. Relating to.

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- No. 170, A. Relating to inspection of.

**BEAVER DAM, CITY OF —**

- No. 128, A. Relating to.

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**BEEF SLOUGH —**

No. 123, S. Relating to.

**BELL TELEPHONE CO. —**

No. 154, S. Relating to, of Madison.

**BENNETT, SENATOR —**

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**BIENNIAL SESSIONS —**

Jt. Res. No. 10, A. Providing for.  
 Pet. No. 43, S. Relating to passage of resolution.  
 54, S. Providing for.  
 36, S. Providing for.  
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 11, S. Providing for.  
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**BINGHAM, J. M. —**

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**BLACKSTONE, SENATOR —**

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No. 59, S. Appropriation for the education of.

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- No. 121, S. Relating to distribution of.
- 79, A. Relating to the distribution of

**BOARD OF SUPERVISORS —**

- No. 214, S. Legalizing action of, in Lincoln county.
- 187, S. Relating to.
- 132, A. Relating to.

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- No. 206, S. To maintain, in St. Croix lake.
- 216, S. Relating to, in Wisconsin river.
- 246, S. Relating to, in Chippewa river.
- 78, A. Relating to, in Big Rib river.
- 250, A. Upon river and Lake St. Croix.

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- No. 46, A. Relating to, on wild animals.

**BRIDGES —**

- No. 98, S. Across Lake St. Croix.
- 183, S. Across Chippewa river.
- 256, S. Relating to, across Chippewa and Wisconsin rivers.
- 8, A. Across Rock river.
- 192, A. Across Fox river.
- 245, A. Across Wolf river.
- 389, A. Across Mississippi river.
- M. C. No. 15, A. Across Sturgeon bay.

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- No. 394, A. To invest, of Boscobel.

**BRIDGE, Mrs. MATTIE A. —**

- Res. No. 14, S. Granting senate chamber for delivering of lecture on Human Freedom.

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- 249, S.
- 250, S.
- 251, S.
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